

# OFFICE OF LEGISLATIVE LEGAL SERVICES

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## MEMORANDUM <sup>1</sup>

TO: Statutory Revision Committee

FROM: Nicole Myers, Office of Legislative Legal Services

DATE: March 4, 2022

SUBJECT: Modernization of the terminology used in the Colorado Revised Statutes relating to the organization of Colorado state governmental agencies without altering the status of the powers assigned to those agencies pursuant to the "Administrative Organization Act of 1968"

### Background

In October 2016, Debbie Haskins, a long-time and esteemed employee of the Office of Legislative Legal Services (OLLS), first presented the idea of modernizing the anachronistic language used to transfer state agencies and functions in the "Administrative Organization Act of 1968" (Administrative Organization Act) and in the Colorado Revised Statutes (C.R.S.) to the Statutory Revision Committee (SRC). At the same meeting, the SRC gave the OLLS authority to begin drafting an Administrative Organization Act modernization bill and Debbie began her work. Debbie spent countless hours on the Administrative Organization Act modernization project and had a bill draft ready to share with the SRC in the fall of 2017. Unfortunately, Debbie was not able to discuss the bill with this Committee or to finish the project before her death in October 2017.

The bill has been through many changes and revisions since the first draft in 2017. The OLLS has reconsidered (and reconsidered again) the best way to approach the

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<sup>1</sup> This legal memorandum was prepared by the Office of Legislative Legal Services (OLLS) in the course of its statutory duty to provide staff assistance to the Statutory Revision Committee (SRC). It does not represent an official legal position of the OLLS, SRC, General Assembly, or the state of Colorado, and is not binding on the members of the SRC. This memorandum is intended for use in the legislative process and as information to assist the SRC in the performance of its legislative duties.

modernization of the language in the Administrative Organization Act and the corresponding terminology used elsewhere in the C.R.S. The OLLS has also taken into consideration the early comments from the principal departments in response to Debbie's first draft in 2017 as well as comments from the principal departments on later drafts of the bill.

At the SRC meeting on April 23, 2021, the SRC approved for introduction LLS #21-0284, concerning the modernization of the terminology used in the Colorado Revised Statutes relating to the organization of Colorado state governmental agencies without altering the status of the powers assigned to those agencies pursuant to the "Administrative Organization Act of 1968." Although the bill was ready for introduction, the bill was not introduced during the 2021 legislative session. The proposed bill that the SRC will consider on March 11, 2022, is the same as the proposed bill that the SRC approved for introduction in 2021; except that the bill has been updated to incorporate legislation passed during the 2021 legislative session that amended the "Administrative Organization Act of 1968" and the corresponding organic statutes.

## **Summary**

For many years, staff at the OLLS has been aware of verbose and inconsistent language used in the C.R.S. to implement the Administrative Organization Act. The terminology used to transfer the functions of one agency to another and to assign newly created entities to principal departments is archaic, obsolete, and difficult for the agencies and the public to understand. Furthermore, at least 47 different variations of the transfer language currently appear in the C.R.S.

The opportunity to simplify and standardize this transfer language presents a needed reform that may benefit the agencies whose powers and duties are governed by it, as well as Coloradans who look to the statutes to understand how these agencies function.

## **Analysis**

### **1. Background on the Administrative Organization Act and analysis of drafting practices based on the Act.**

In 1966, Colorado voters approved a constitutional amendment calling for the reorganization of the state government's executive branch into not more than 20 principal departments.<sup>2</sup>

In 1967, an interim committee analyzed every entity of state government, consolidated them into 17 principal departments,<sup>3</sup> and decided whether each entity should be a **type 1** or a **type 2** entity or whether it should be abolished through a **type 3** transfer.<sup>4</sup> Based on that analysis, the General Assembly enacted S.B. 68-001, creating the "Administrative Organization Act of 1968"<sup>5</sup> in article 1 of title 24, C.R.S., which laid out the structure of the principal departments, assigned every entity of state government in the executive branch to a principal department, and specified its type.

The reorganization was based on a transfer concept set out in section 24-1-105, C.R.S., which defined the three types of transfers determining the relationship between an entity of state government and the principal department in which it was located.<sup>6</sup> To this day, the transfer of the entity's powers, duties, and functions to another principal department by a **type 1** or **type 2** transfer is used to affect the authority of the entity and to define the relationship between the entity and the principal department in which it is located.

According to the *Colorado Legislative Drafting Manual*, there is a significant difference between the powers of an entity transferred by a **type 1**<sup>7</sup> transfer and an entity transferred by a **type 2**<sup>8</sup> transfer:

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<sup>2</sup> Amendment 1, titled "An Amendment to Article IV of the Constitution of the State of Colorado, by the addition of a new section 22, providing that executive and administrative offices, agencies, and instrumentalities of the executive department of the state government shall be allocated to not to exceed twenty departments, with certain exceptions," which was submitted to the electorate by the General Assembly. Amendment 1 is codified in article IV, § 22 of the state constitution.

<sup>3</sup> Currently, there are 20 principal departments.

<sup>4</sup> Report to the Colorado General Assembly, "Reorganizing the Executive Branch of Colorado's State Government," Colorado Legislative Council, Research Publication No. 131, December 1967, [www.law.du.edu](http://www.law.du.edu), digital collection of the Colorado Legislative Council.

<sup>5</sup> 1968 Colo. Sess. Laws, ch. 53.

<sup>6</sup> See **Addendum A**.

<sup>7</sup> Examples of entities transferred by a **type 1** transfer are the state board of education, the state board of health, and the public utilities commission.

<sup>8</sup> Examples of entities transferred by a **type 2** transfer are the state lottery division, the division of professions and occupations, and the division of local government.

A **type 1** transfer denotes a relationship in which the subordinate division, board, or other agency exercises its powers, duties, and functions independently of the executive director of the department within which the agency is placed. The most important powers retained by a **type 1** agency – powers which may be exercised in whatever way the agency determines, even without the approval of the executive director – are the promulgation of rules and the rendering of administrative findings, orders, and adjudications.<sup>9</sup>

In a **type 2** transfer, all powers, duties, and functions of the division, board, or other agency belong to the executive director of the department.<sup>10</sup>

A **type 3** transfer involves the transfer of *all* functions of an agency to another agency and the abolition of the old agency; it is rarely used.<sup>11</sup>

In S.B. 68-001, each agency and its powers, duties, and functions were transferred to a principal department using the simple phrase "are transferred." For example:

**24-1-117. Department of revenue - creation.** (2) The department of revenue and the office of director of revenue, created by article 35 of this title, and their powers, duties, and functions are transferred by a **type 2** transfer to the department of revenue.

(3) The powers, duties, and functions of the secretary of state with respect to fermented malt beverages and malt, vinous, and spirituous liquors under the provisions of articles 46 to 48 of title 12, C.R.S., are transferred by a **type 2** transfer to the department of revenue.

The 1967 interim committee recommended and intended<sup>12</sup> that any new agencies created after the reorganization would be created using a transfer approach via the three statutorily defined types of transfers.

In 1969, the year following the reorganization, the simple phrase "are transferred" was again used when transferring or creating new departments; however, in 1970 and years thereafter, variations arose, including:

- "are hereby transferred"; and
- "as if the same were transferred to the department by a **type 1** transfer as such transfer is defined in the 'Administrative Organization Act of 1968'".

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<sup>9</sup> *Colorado Legislative Drafting Manual*, the Office of Legislative Legal Services, p. 6-1 (2020).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> "Reorganizing the Executive Branch of Colorado's State Government", p. xx.

Ten years after the reorganization, the 1977 *Legislative Drafting Manual* explained to drafters that when drafting bills creating a new agency or transferring an agency to another agency, the drafter needed to do two things: 1) amend the applicable section in the Administrative Organization Act *and* the organic statute governing the agency to specify the transfer and type of the agency; and 2) use the phrase "as if it were transferred" when making such a transfer.

According to the 1977 *Legislative Drafting Manual*:

In order to keep article 1 up to date and to clearly define the status of newly created agencies within the context of executive reorganization, any bill creating a new executive agency with substantive powers (i.e., an agency other than a strictly advisory board or committee), or transferring any such agency from one department to another, or abolishing such an agency, **MUST** include an appropriate amendment to title 24, article 1.

...

In the case of a new agency, the text should refer to the type of transfer with the notation that the agency shall exercise its powers, etc., as if it were transferred by a type 1 or type 2 transfer, since a new agency is not actually being transferred.

...

As a matter of custom, similar language defining the type of transfer is included in the substantive law governing the agency created or transferred.<sup>13</sup>

Nothing in article 1 of title 24, C.R.S., nor in the interim committee report, explains that a subsequent *transfer* of an entity should be accomplished using the phrase "as if it were transferred." This language appears to be the result of the way *some, but not all*, bills were drafted after the 1968 reorganization.

In hindsight, the language "as if it were transferred by a **type 1** or **type 2** transfer" is an awkward and unclear phrase. This language essentially ties the creation of a new board's powers back to a reorganization that occurred in 1968—in essence, the translation is that "new board X exercises its powers as a **type 1** board as if it were being transferred by a **type 1** transfer back in 1968." This approach creates a fictional reality and is not the most clear and direct way to express what is actually intended.

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<sup>13</sup> *Legislative Drafting Manual*, Legislative Drafting Office, pp. 69-71 (1977).

2. **The transfer language used in the C.R.S. is overly complicated and difficult for the state agencies and the public to understand. The Statutory Revision Committee could introduce legislation to modernize and simplify the language while preserving the existing type of the agencies and their authority.**

### **2.1. Entities transferred "as if" transferred by a type 1 or type 2 transfer.**

In the C.R.S., there are at least 298 references to **type 1**, **type 2**, or **type 3** transfers. What is astonishing is that there are at least 47 different ways the transfers are described, sometimes in more than one way within the same subsection.

As demonstrated in **Addendum B**, there are multiple ways in which the transfer concept is currently expressed in the C.R.S., which adds to the confusion. Instead, the designation of the status of an agency's powers as either a **type 1** or **type 2** entity could be stated very simply in plain English without any reference to a transfer. For example:

Agency X is a **type 1** [or **type 2**] entity as defined in section 24-1-105, and shall exercise its powers and perform its duties and functions under the department.

### **2.2. Transfers of powers, duties, and functions of an entity but not the entity itself.**

There are many examples in the statutes of the transfer of an entity's powers, duties, and functions by a **type 1** or **type 2** transfer, while the entity itself is not transferred. This transference approach is another possible source of confusion, as the transfer type is a means of expressing an entity's relationship to the principal department in which it is located, but in these situations the entity itself is not transferred. This intent could be stated more simply, again without using transfer language. For example:

The powers, duties, and functions of entity X include the powers, duties, and functions of entity Y. Entity X is a **type 1** [or **type 2**] entity as defined in section 24-1-105.

### **2.3. Entities that have actually been transferred from one department to another after the 1968 reorganization of state government.**

The General Assembly does occasionally create an entity in one principal department and, subsequent to its creation, transfers the entity to another principal department. Rather than expressing these transfers as **type 1** or **type 2** transfers, the transfer of the entity and its powers, duties, and functions may be accomplished by simply stating that the entity "is transferred" as expressed in S.B. 68-001. The transferred entity may then

be designated as a **type 1** or **type 2** entity in the new principal department to which it is relocated. For example:

Entity X is transferred from department A to department B. Entity X is a **type 1** [or **type 2**] entity as defined in section 24-1-105 and shall exercise its powers and perform its duties and functions under department B.

#### **2.4. Type 3 transfers and the abolition of entities.**

Finally, the language regarding **type 3** transfers may also be simplified and expressed in plain English. Currently, when the powers, duties, and functions of an entity are transferred from one principal department to another and the original entity is abolished, the transfer is expressed as a **type 3** transfer. This approach seems unnecessary since the transfer type generally indicates the relationship of an entity to the department in which it is created. However, with a **type 3** transfer, the entity is abolished, thereby eliminating the need to identify a relationship to the principal department. The relocation of an entity from one department to another and the abolition of the entity can also be expressed in the C.R.S. more simply. For example:

The powers, duties, and functions of department A include the powers, duties, and functions of the former division of X, and the division of X is abolished.

Modernizing and simplifying these statements would result in statutes that are expressed in the present time and in the present tense while preserving the entity's status and authority as designated by type in the Administrative Organization Act. This approach would standardize and streamline the transfer language in the Administrative Organization Act and throughout the C.R.S.

### **3. While the status of an agency is expressed in article 1 of title 24, C.R.S., many times the type 1 or type 2 status of the agency is not also expressed in the organic statute.**

The 1968 legislation that reorganized all state agencies did not include corresponding amendments in the "organic" statutes that actually created the particular departments, divisions, or boards.

This inconsistency resulted in an anomaly in which numerous boards' and agencies' statuses, with regard to their powers, duties, and functions, were only identified in article 1 of title 24, C.R.S., and not in their organic statutes, where a reader would typically look for this information.

Because the Administrative Organization Act requires an entity to exercise its powers consistent with the level of authority allocated to it by the General Assembly, it would be helpful to the departments and to the public to provide ready access to that information in the relevant, organic statute establishing the entity.

In addition, when comparing the Administrative Organization Act and the organic statutes, staff has identified several discrepancies in the names of entities and references to units of government that no longer exist. Legislation sponsored by the Committee could also correct these errors and discrepancies.

## Statutory Charge<sup>14</sup>

The issues and recommendations presented in this memorandum comport with the Statutory Revision Committee's charge because they would eliminate defects in the law, bring the law into harmony with modern conditions, and align and harmonize the status and authority assigned to particular units of state government in the Administrative Organization Act.

## Proposed Bill

The proposed Administrative Organization Act modernization bill, LLS # #22-0424, does the following:

1. Modernizes the Administrative Organization Act to define **type 1** and **type 2 entities**, rather than **type 1** and **type 2 transfers** to specify the relationship between an entity of state government and the principal department in which it is located.
2. Repeals all **type 1** and **type 2** transfer language and, instead, identifies each entity of state government as a **type 1** or **type 2 entity** that exercises its powers and performs its duties and functions under the department in which the entity is located.

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<sup>14</sup> The Statutory Revision Committee is charged with "[making] an ongoing examination of the statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms" and recommending "legislation annually to effect such changes in the law as it deems necessary in order to modify or eliminate antiquated, redundant, or contradictory rules of law and to bring the law of this state into harmony with modern conditions." Section 2-3-902 (1), C.R.S. In addition, the SRC "shall propose legislation only to streamline, reduce, or repeal provisions of the Colorado Revised Statutes." Section 2-3-902 (3), C.R.S.



3. Repeals language that transfers powers, duties, and functions of an entity rather than the entity itself by a **type 1** or **type 2** transfer and, instead, identifies the specific powers, duties, and functions that are included in the powers, duties, and functions of the department that will have responsibility for them.
4. Repeals **type 3** transfer language that is used to transfer, then abolish, an entity and, instead, identifies that the powers, duties, and functions of the entity to be abolished are included in the powers, duties, and functions of the principal department that will assume them.
5. Amends the applicable organic statutes to specify and align the **type 1** or **type 2** status of the boards, commissions, divisions, and agencies with the designation of the **type 1** or **type 2** status assigned to that board, commission, division, or agency in the Administrative Organization Act, corrects errors in the names of entities, and repeals references to units of government that no longer exist.

# ADDENDUM A

## COLORADO REVISED STATUTES

**24-1-105. Types of transfers.** (1) Under this article, a **type 1** transfer means the transferring intact of an existing department, institution, or other agency, or part thereof, to a principal department established by this article. When any department, institution, or other agency, or part thereof, is transferred to a principal department under a **type 1** transfer, that department, institution, or other agency, or part thereof, shall be administered under the direction and supervision of that principal department, but it shall exercise its prescribed statutory powers, duties, and functions, including rule-making, regulation, licensing, and registration, the promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications, independently of the head of the principal department. Under a **type 1** transfer, any powers, duties, and functions not specifically vested by statute in the agency being transferred, including, but not limited to, all budgeting, purchasing, planning, and related management functions of any transferred department, institution, or other agency, or part thereof, shall be performed under the direction and supervision of the head of the principal department.

(2) Under this article, a **type 2** transfer means the transferring of all or part of an existing department, institution, or other agency to a principal department established by this article. When all or part of any department, institution, or other agency is transferred to a principal department under a **type 2** transfer, its statutory authority, powers, duties, and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting, purchasing, and planning, are transferred to the principal department.

(3) Under this article, a **type 3** transfer means the abolishing of an existing department, institution, or other agency and the transferring of all or part of its powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds to a principal department as specified under this article.

(4) When any department, institution, or other agency, or part thereof, is transferred by a **type 2** or **type 3** transfer to a principal department under the provisions of this article, its prescribed powers, duties, and functions, including rule-making, regulation, licensing, promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications are transferred to the head of the principal department into which the department, institution, or other agency, or part thereof, has been transferred.

## ADDENDUM B

as if transferred thereto by a <b>type 2</b> transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if the same were transferred to the department by a <b>type 2</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if the same were transferred to the department by a <b>type 1</b> transfer, as such transfer is defined in section 24-1-105, C.R.S.
are transferred from (blank) to (blank) by a <b>type 2</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
are transferred, (effective date), by a <b>type 1</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S., to(blank) and allocated to (blank)
as if the powers, duties, and functions were transferred to the division by a <b>type 1</b> transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if it were transferred to the department by a type 1 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if they were transferred to the department by a <b>type 2</b> transfer
as if transferred to the division by a <b>type 1</b> transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if transferred thereto by a <b>type 2</b> transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if the same were transferred to the department by a <b>type 2</b> transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if the same were transferred to the department by a <b>type 2</b> transfer
as if the same were transferred by a <b>type 2</b> transfer
as if the same were transferred by a <b>type 1</b> transfer to the department
as if the same were transferred thereto by a <b>type 1</b> transfer
as if the same were transferred to said department by a <b>type 2</b> transfer
as if the same were transferred by a <b>type 1</b> transfer, as defined in section 24-1-105, to the department of transportation
as if the same were transferred to the department by a <b>type 1</b> transfer, as defined in section 24-1-105, C.R.S.
as if the same were transferred to such department by this article under a <b>type 2</b> transfer, unless otherwise specified by such law

are hereby transferred by a <b>type 3</b> transfer to the department
There is hereby created by a <b>type 1</b> transfer in the department ...
are transferred by a <b>type 2</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S., to the department
are transferred by a <b>type 2</b> transfer to the department of state, subject to
as if transferred to the department by a <b>type 1</b> transfer
as if the division were transferred by a <b>type 2</b> transfer to the department of education.
as if it were transferred by a <b>type 2</b> transfer to the department of public health and environment
as if transferred by a <b>type 2</b> transfer
as if transferred thereto by a <b>type 2</b> transfer
as if (the board) were transferred to the division by a <b>type 1</b> transfer
are transferred as if by a <b>type 1</b> transfer
as if the same were transferred to the department of natural resources and allocated to the division of reclamation, mining, and safety as a section thereof by a <b>type 2</b> transfer.
as if it were transferred to said department by a <b>type 1</b> transfer
as if transferred by a <b>type 2</b> transfer to the department
are transferred by a <b>type 3</b> transfer, as defined in section 24-1-105
as transferred to the department by a <b>type 2</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title
are hereby transferred by a <b>type 2</b> transfer from the department to
to meet the requirements of the commission concerning any matters within the authority of an agency transferred by a <b>type 1</b> transfer, as defined in section 24-1-105, C.R.S.,
as if transferred to the department by a <b>type 1</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if it were transferred to the department by a <b>type 1</b> transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if it were transferred by a <b>type 2</b> transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.
as if the (board) were transferred by a <b>type 2</b> transfer, as a division thereof
as if transferred by a <b>type 2</b> transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title, to the department
as if the same were transferred to the department by a <b>type 2</b> transfer, as such transfer is defined in the "Administrative Organization Act of 1968", being article 1 of this title

as if it were transferred to the department by a **type 1** transfer as such transfer is defined in the "Administrative Organization Act of 1968", being article 1 of this title

as if it were transferred to the department by a **type 1** transfer under the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

as if the agency or officer were transferred to the department by a **type 2** transfer, as defined in section 24-1-105, until the general assembly shall otherwise designate

There is hereby created within the department, as a **type 2** entity, the ...

**Administrative Organization Act Modernization**  
**(Proposed Draft LLS# 22-0424)**  
**Chart of Sections Affecting each Principal Department**

To aid the reader, the bill is organized in the following order:

There are 3 sections in the Administrative Organization Act that apply to all principal departments:

Section 2 - Legislative declaration, §24-1-101

Section 3 - Types of entities defined, §24-1-105;

Section 4 - Repeal of transfer explanations, §24-1-129

Additional sections in the bill are grouped together for each principal department in the order in which the departments appear in the Administrative Organization Act, followed by the conforming amendments in organic sections for that principal department.

The chart below indicates the sections that affect each principal department in the order in which that department is addressed in the bill.

<b>Principal Department</b>	<b>Administrative Organization Act: Bill Section and C.R.S. Section</b>	<b>Organic Statutes: Bill Sections and Page Numbers</b>
Department of State	Section 5; §24-1-111	Sections 5-6; Pages 7-8
Department of Treasury	Section 7; §24-1-112	Section 7; Page 8 (no conforming amendments)
Department of Law	Section 8; §24-1-113	Sections 8-9; Pages 8-9
Department of Higher Education	Section 10; §24-1-114	Sections 10-17; Pages 9-15  Also Section 153 on page 104 - §24-1-124 (3)(j) re: location of division of forestry and state forester (page 108)

<b>Principal Department</b>	<b>Administrative Organization Act: Bill Section and C.R.S. Section</b>	<b>Organic Statutes: Bill Sections and Page Numbers</b>
Department of Education	Section 18; §24-1-115	Sections 18-31; Pages 15-25
Department of Revenue	Section 32; §24-1-117	Sections 32-38; Pages 25-30
Department of Public Health and Environment	Section 39; §24-1-119	Sections 39-55; Pages 30-41
Department of Health Care Policy and Financing	Section 56; §24-1-119.5	Sections 56-60; Pages 42-45
Department of Human Services	Section 61; §24-1-120	Sections 61-77; Pages 45-58
Department of Early Childhood	Section 78 §24-1-120.5.	Sections 78-79 Pages 58-59
Department of Labor and Employment	Section 80; §24-1-121	Sections 80-96; Pages 59-71
Department of Regulatory Agencies	Section 97; §24-1-122	Sections 97-141; Pages 71-95
Department of Agriculture	Section 142; §24-1-123	Sections 142-152; Pages 95-104
Department of Natural Resources	Section 153; §24-1-124	Sections 153-169; Pages 104-117
Department of Local Affairs	Section 170; §24-1-125	Sections 170-181; Pages 117-125  Also Section 61 on page 45 - §24-1-120 (5)(i) re: office of homeless youth (page 48)
Department of Military and Veterans Affairs	Section 182; §24-1-127	Sections 182-188; Pages 125-130

<b>Principal Department</b>	<b>Administrative Organization Act: Bill Section and C.R.S. Section</b>	<b>Organic Statutes: Bill Sections and Page Numbers</b>
Department of Personnel	Section 189; §24-1-128	Sections 189-198; Pages 130-136
Department of Corrections	Section 199; §24-1-128.5	Sections 199-203; Pages 136-140
Department of Public Safety	Section 204; §24-1-128.6	Sections 204-214; Pages 141-150  Also Section 153 on page 104 - §24-1-124 (3)(j) re: location of division of forestry and state forester (page 108)
Department of Transportation	Section 215; §24-1-128.7	Sections 215-224; Pages 150-158



Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.3.22

DRAFT

LLS NO. 22-0424.01 Nicole Myers x4326

COMMITTEE BILL

Statutory Revision Committee

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**BILL TOPIC:** "Administration Organization Act Modernization"

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**A BILL FOR AN ACT**

101     **CONCERNING THE MODERNIZATION OF THE TERMINOLOGY USED IN**  
102             **THE COLORADO REVISED STATUTES RELATING TO THE**  
103             **ORGANIZATION OF COLORADO STATE GOVERNMENTAL**  
104             **AGENCIES WITHOUT ALTERING THE STATUS OF THE POWERS**  
105             **ASSIGNED TO THOSE AGENCIES PURSUANT TO THE**  
106             **"ADMINISTRATIVE ORGANIZATION ACT OF 1968".**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Statutory Revision Committee.** Under current law, the

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

"Administrative Organization Act of 1968" (AOA) sets forth the organizational structure of the principal departments of the executive branch of Colorado state government based on a series of transfers and allocations of authority, powers, duties, and functions to units of government, referred to as "entities", that occurred in 1968, and as amended since that time as entities were created, transferred, or abolished. The AOA defines 3 types of transfers that determine the relationship between an entity and the principal department in the executive branch. The designation of an entity as a **type 1** or **type 2** entity, and the transfer of the entity's powers, duties, and functions to another entity by a **type 1** or **type 2** transfer, affects the authority of the entity and defines the relationship between the entity and the principal department to which the entity is assigned. Historically, a **type 3** transfer involved the transfer of all functions of an entity to another entity and the abolition of the original entity from which the functions had been transferred.

The bill modernizes and simplifies the terminology used in creating and transferring entities among principal departments under the AOA and throughout the Colorado Revised Statutes while preserving the status and the powers assigned in current law to entities in the AOA.

The bill defines "**type 1** entity" and "**type 2** entity" and states that when a new entity is created as a **type 1** entity or a **type 2** entity and allocated to a principal department under the AOA, or when an existing entity is transferred from one principal department to another, the entity has all of the powers, duties, and functions of a **type 1** or **type 2** entity, as applicable. The bill eliminates language regarding **type 1** and **type 2** transfers and specifies that when an existing entity is transferred from one principal department to another, the transferred entity shall exercise its powers and perform its duties and functions in the principal department to which it was transferred as a **type 1** or **type 2** entity, as specified in law.

The bill amends organic statutes for the principal departments to specify the **type 1** or **type 2** status of the entities within those principal departments where the **type 1** or **type 2** status is not stated. The bill also amends the AOA to specify the **type 1** or **type 2** status of the entities where the **type 1** or **type 2** status is found in the organic statute but is missing in the AOA.

Currently, when an entity is abolished by a **type 3** transfer, the original entity and its powers, duties, and functions are transferred to another principal department and the original entity is abolished. The bill eliminates references to **type 3** transfers and specifies that the powers, duties, and functions of the abolished entity are included in powers, duties, and functions of the entity to which it was transferred.

The bill also corrects errors in the names of entities to make the references consistent throughout the statutes.

To aid the reader, the bill is organized to group all the amendments to each principal department, including conforming amendments, together.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the "Debbie  
3 Haskins 'Administrative Organization Act of 1968' Modernization Act".

4 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-1-101 as  
5 follows:

6 **24-1-101. Legislative declaration.** (1) The general assembly  
7 declares that this ~~article~~ ARTICLE 1 is necessary to create a structure of  
8 state government ~~which will be~~ THAT IS responsive to the needs of the  
9 people of this state and sufficiently flexible to meet changing conditions;  
10 to strengthen the powers of the governor and provide a reasonable span  
11 of administrative and budgetary controls within an orderly organizational  
12 structure of state government; to strengthen the role of the general  
13 assembly in state government; to encourage greater participation of the  
14 public in state government; to effect the grouping of state agencies into  
15 a limited number of principal departments primarily according to  
16 function; and to eliminate overlapping and duplication of effort. ~~It is the~~  
17 ~~intent of the general assembly to provide for an orderly transfer of~~  
18 ~~powers, duties, and functions of the various state agencies to such~~  
19 ~~principal departments with a minimum of disruption of governmental~~  
20 ~~services and functions and with a minimum of expense.~~ To the ends  
21 stated in this section, this ~~article~~ ARTICLE 1 shall be liberally construed.

22 (2) SINCE THE GENERAL ASSEMBLY ENACTED THE  
23 "ADMINISTRATIVE ORGANIZATION ACT OF 1968", WHICH LAID OUT THE  
24 STRUCTURE OF THE PRINCIPAL DEPARTMENTS, ASSIGNED AND

1 TRANSFERRED EVERY ENTITY INTO A PRINCIPAL DEPARTMENT, AND  
2 SPECIFIED WHETHER THE ENTITY WAS TRANSFERRED BY A **TYPE 1** OR **TYPE**  
3 **2** TRANSFER OR ABOLISHED BY A **TYPE 3** TRANSFER, THE GENERAL  
4 ASSEMBLY HAS DETERMINED THAT:

5 (a) THE TRANSFER LANGUAGE USED IN THIS ARTICLE 1 IS OVERLY  
6 COMPLICATED, AND THE CONCEPT THAT A NEW ENTITY OBTAINS OR  
7 RETAINS ITS POWERS "AS IF IT WERE TRANSFERRED", BASED ON A  
8 REORGANIZATION THAT OCCURRED IN 1968, IS AN AWKWARD WAY OF  
9 EXPRESSING THE ENTITY'S STATUS;

10 (b) WHILE THE STATUS OF AN ENTITY IS EXPRESSED IN THIS  
11 ARTICLE 1, THE **TYPE 1** OR **TYPE 2** STATUS OF THE ENTITY OFTEN IS NOT  
12 SPECIFIED IN THE ORGANIC STATUTE THAT GOVERNS THE ENTITY, WHICH  
13 IS WHERE A READER WOULD TYPICALLY LOOK FOR THIS INFORMATION;

14 (c) WHILE THERE WERE MANY REFERENCES TO **TYPE 3** TRANSFERS  
15 BY WHICH ENTITIES WERE HISTORICALLY ABOLISHED, IN 2022 THE  
16 TERMINOLOGY USED IN THE STATUTES WAS MODERNIZED TO SIMPLY  
17 IDENTIFY THE NEW ENTITY RESPONSIBLE FOR THE POWERS, DUTIES, AND  
18 FUNCTIONS OF THE ABOLISHED ENTITY WITHOUT THE USE OF THE ARCHAIC  
19 **TYPE 3** TRANSFER LANGUAGE; AND

20 (d) THE COLORADO REVISED STATUTES WOULD BE IMPROVED BY  
21 MODERNIZING THE MEANS BY WHICH AN ENTITY'S STATUS IS DESIGNATED  
22 AND THE WAY IN WHICH AN ENTITY'S POWERS, DUTIES, AND FUNCTIONS  
23 ARE EXPRESSED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968"  
24 AND IN THE ORGANIC STATUTE WHERE THE ENTITY IS CREATED.

25 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**  
26 **with amendments,** 24-1-105 as follows:

27 **24-1-105. Types of entities defined - creation of new entities -**

1     **transfers of existing entities.** (1) THE FOLLOWING DEFINITIONS APPLY TO  
2     EVERY STATUTE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

3             (a) "ENTITY" MEANS A PRINCIPAL DEPARTMENT OF THE STATE OR  
4     ANY DIVISION, INSTITUTION, OR PART OF A PRINCIPAL DEPARTMENT, OR  
5     ANY AGENCY, BOARD, COMMISSION, OR UNIT OF STATE GOVERNMENT THAT  
6     IS CREATED IN OR ASSIGNED TO A PRINCIPAL DEPARTMENT OF THE STATE.  
7     "ENTITY" INCLUDES AN INDIVIDUAL CARRYING OUT POWERS OR  
8     EXERCISING DUTIES OR FUNCTIONS.

9             (b) "**TYPE 1** ENTITY" MEANS AN ENTITY THAT IS ADMINISTERED  
10    UNDER THE DIRECTION AND SUPERVISION OF A PRINCIPAL DEPARTMENT  
11    ESTABLISHED IN THIS ARTICLE 1, BUT EXERCISES ITS PRESCRIBED  
12    STATUTORY POWERS AND PERFORMS ITS PRESCRIBED DUTIES AND  
13    FUNCTIONS, INCLUDING RULE-MAKING, REGULATION, LICENSING, AND  
14    REGISTRATION; THE PROMULGATION OF RULES, RATES, REGULATIONS, AND  
15    STANDARDS; AND THE RENDERING OF FINDINGS, ORDERS, AND  
16    ADJUDICATIONS, INDEPENDENTLY OF THE HEAD OF THE PRINCIPAL  
17    DEPARTMENT. UNDER A **TYPE 1** ENTITY, ANY POWERS, DUTIES, AND  
18    FUNCTIONS NOT SPECIFICALLY VESTED BY STATUTE IN THE ENTITY,  
19    INCLUDING, BUT NOT LIMITED TO, ALL BUDGETING, PURCHASING,  
20    PLANNING, AND RELATED MANAGEMENT FUNCTIONS OF THE ENTITY, ARE  
21    PERFORMED UNDER THE DIRECTION AND SUPERVISION OF THE HEAD OF THE  
22    PRINCIPAL DEPARTMENT.

23             (c) "**TYPE 2** ENTITY" MEANS AN ENTITY WHOSE STATUTORY  
24    AUTHORITY, POWERS, DUTIES, AND FUNCTIONS, INCLUDING THE FUNCTIONS  
25    OF BUDGETING, PURCHASING, AND PLANNING, ARE UNDER THE DIRECTION  
26    AND SUPERVISION OF THE HEAD OF THE PRINCIPAL DEPARTMENT.

27             (2) WHEN A NEW ENTITY IS CREATED, THE ENTITY SHALL EXERCISE

1 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS IN THE PRINCIPAL  
2 DEPARTMENT IN WHICH IT IS CREATED AS A **TYPE 1** OR **TYPE 2** ENTITY, AS  
3 SPECIFIED IN LAW. WHEN AN EXISTING ENTITY IS TRANSFERRED FROM ONE  
4 PRINCIPAL DEPARTMENT TO ANOTHER PRINCIPAL DEPARTMENT, THE  
5 ENTITY SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
6 FUNCTIONS IN THE PRINCIPAL DEPARTMENT TO WHICH IT WAS  
7 TRANSFERRED AS A **TYPE 1** OR **TYPE 2** ENTITY, AS SPECIFIED IN LAW.  
8 WHEN AN EXISTING ENTITY IS ABOLISHED, ALL OR PART OF THE POWERS,  
9 DUTIES, AND FUNCTIONS OF THE ABOLISHED ENTITY AS WELL AS ITS  
10 RECORDS, PERSONNEL, PROPERTY, AND UNEXPENDED BALANCES OF  
11 APPROPRIATIONS, ALLOCATIONS, OR OTHER MONEY, MAY BE TRANSFERRED  
12 TO ANOTHER ENTITY AS SPECIFIED IN LAW.

13 **SECTION 4.** In Colorado Revised Statutes, **repeal** 24-1-129 as  
14 follows:

15 **24-1-129. Effect of transfer of powers, duties, and functions.**

16 ~~Any principal department to which powers, duties, and functions of any~~  
17 ~~existing department, institution, or other agency are transferred or any~~  
18 ~~division, section, or unit of any principal department to which such~~  
19 ~~powers, duties, and functions are allocated shall be the successor in every~~  
20 ~~way with respect to such powers, duties, and functions of the department,~~  
21 ~~institution, or other agency in which such powers, duties, and functions~~  
22 ~~were vested prior to July 1, 1968, except as otherwise provided by this~~  
23 ~~article. Every act performed in the exercise of such powers, duties, and~~  
24 ~~functions by or under the authority of the principal department or any~~  
25 ~~division, section, or unit thereof to which such powers, duties, and~~  
26 ~~functions are transferred or allocated by this article shall be deemed to~~  
27 ~~have the same force and effect as if performed by the department,~~

1 ~~institution, or other agency in which such functions were vested prior to~~  
2 ~~July 1, 1968. When any such department, institution, or other agency is~~  
3 ~~referred to or designated by any law, contract, or other document, such~~  
4 ~~reference or designation shall be deemed to apply to the principal~~  
5 ~~department or the division, section, or unit thereof in which the powers,~~  
6 ~~duties, and functions of such department, institution, or other agency so~~  
7 ~~referred to or designated are vested by the provisions of this article.~~

8 ~~<{*Department of State*}>~~

9 **SECTION 5.** In Colorado Revised Statutes, 24-1-111, **amend** (2)  
10 and (3) as follows:

11 **24-1-111. Department of state - creation.** (2) The department  
12 of state and the office of secretary of state, created by IN article IV of the  
13 state constitution, ~~and the powers, duties, and functions vested by law in~~  
14 ~~said department and said office are transferred by a type 2 transfer to the~~  
15 ~~department of state,~~ ARE **TYPE 2** ENTITIES AS DEFINED IN SECTION  
16 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
17 DUTIES AND FUNCTIONS AS VESTED BY LAW IN THE DEPARTMENT AND  
18 OFFICE, subject to the state constitution.

19 (3) The department of state includes the electronic recording  
20 technology board established in section 24-21-402 (1). ~~and its powers,~~  
21 ~~duties, and functions, as if the board were transferred by a type 1 transfer,~~  
22 ~~as such transfer is defined in section 24-1-105~~ THE ELECTRONIC  
23 RECORDING TECHNOLOGY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN  
24 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
25 DUTIES AND FUNCTIONS AS SPECIFIED BY LAW UNDER THE DEPARTMENT OF  
26 STATE.

27 **SECTION 6.** In Colorado Revised Statutes, 24-21-402, **amend**

1 (1)(a) introductory portion as follows:

2 **24-21-402. Electronic recording technology board - creation**

3 **- enterprise status.** (1) (a) The electronic recording technology board is

4 created in the department of state. THE BOARD IS A **TYPE 1** ENTITY, AS

5 DEFINED IN SECTION 24-1-105. The board consists of the secretary of state,

6 or ~~his or her~~ THE SECRETARY OF STATE'S designee, and eight other

7 members appointed as follows:

8 *<{Department of Treasury}>*

9 **SECTION 7.** In Colorado Revised Statutes, 24-1-112, **amend** (2)

10 as follows:

11 **24-1-112. Department of the treasury - creation.** (2) (a) The

12 ~~powers, duties, and functions of the department of the treasury, created~~

13 ~~by article 36 of this title, and the powers, duties, and functions vested by~~

14 ~~law or the state constitution in the office of state treasurer are transferred~~

15 ~~by a **type 2** transfer to the department of the treasury, subject to the state~~

16 ~~constitution.~~ THE DEPARTMENT OF THE TREASURY, CREATED IN ARTICLE

17 36 OF THIS TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,

18 AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND

19 FUNCTIONS AS SPECIFIED BY LAW AND SUBJECT TO THE STATE

20 CONSTITUTION.

21 (b) THE OFFICE OF THE STATE TREASURER IS A **TYPE 2** ENTITY, AS

22 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND

23 PERFORM ITS DUTIES AND FUNCTIONS AS VESTED BY LAW OR THE STATE

24 CONSTITUTION IN THE OFFICE OF THE STATE TREASURER, SUBJECT TO THE

25 STATE CONSTITUTION.

26 *<{Department of Law}>*

27 **SECTION 8.** In Colorado Revised Statutes, 24-1-113, **amend** (2)



1 as follows:

2 **24-1-113. Department of law - creation.** (2) Except as otherwise  
3 provided in this ~~article~~ ARTICLE 1 or by law: ~~the powers, duties, and~~  
4 ~~functions of the department of law, created by article 31 of this title, and~~  
5 ~~all other powers, duties, and functions vested by law or the state~~  
6 ~~constitution in the office of attorney general are transferred by a type 2~~  
7 ~~transfer to the department of law, subject to the state constitution.~~

8 (a) THE DEPARTMENT OF LAW, CREATED IN ARTICLE 31 OF THIS  
9 TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
10 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS  
11 SPECIFIED BY LAW AND SUBJECT TO THE STATE CONSTITUTION.

12 (b) THE OFFICE OF THE ATTORNEY GENERAL IS A **TYPE 2** ENTITY,  
13 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
14 PERFORM ITS DUTIES AND FUNCTIONS AS VESTED IN THE OFFICE OF THE  
15 ATTORNEY GENERAL BY LAW OR THE STATE CONSTITUTION.

16 **SECTION 9.** In Colorado Revised Statutes, 24-31-302, **amend**  
17 (2) as follows:

18 **24-31-302. Creation of board.** (2) The P.O.S.T. board IS A **TYPE**  
19 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
20 and perform its duties and functions under the department of law. ~~as if~~  
21 ~~transferred to the department by a type 2 transfer, as such transfer is~~  
22 ~~defined in the "Administrative Organization Act of 1968", article 1 of this~~  
23 ~~title.~~

24 ~~<{*Department of Higher Education*}>~~

25 **SECTION 10.** In Colorado Revised Statutes, 24-1-114, **amend**  
26 (2), (3) introductory portion, (3)(b), (3)(c), (3)(d), and (6) as follows:

27 **24-1-114. Department of higher education - creation.** (2) The

1 Colorado commission on higher education and the office of executive  
2 director ~~thereof~~ OF THE COMMISSION, created ~~by~~ IN article 1 of title 23,  
3 ~~C.R.S., and their powers, duties, and functions are transferred by a type~~  
4 ~~1 transfer to the department of higher education~~ ARE **TYPE 1** ENTITIES, AS  
5 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND  
6 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
7 HIGHER EDUCATION.

8 (3) The department of higher education ~~shall include~~ INCLUDES  
9 the following divisions:

10 (b) THE state historical society, created ~~by~~ IN part 2 of article 80  
11 of this title. ~~Its powers, duties, and functions, are transferred by a type 1~~  
12 ~~transfer to the department of higher education as a division thereof~~ TITLE  
13 24. THE STATE HISTORICAL SOCIETY IS A **TYPE 1** ENTITY, AS DEFINED IN  
14 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
15 DUTIES AND FUNCTIONS AS A DIVISION OF THE DEPARTMENT OF HIGHER  
16 EDUCATION.

17 (c) The student loan division, created ~~by~~ IN article 3.1 of title 23.  
18 ~~C.R.S. The division and the director thereof shall exercise their powers~~  
19 ~~and perform their duties and functions as if transferred to the department~~  
20 ~~by a type 2 transfer~~ OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE**  
21 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
22 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
23 DEPARTMENT OF HIGHER EDUCATION.

24 (d) The private occupational school division, created ~~by~~ IN article  
25 64 of title 23. The private occupational school board, created by section  
26 23-64-107, IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
27 shall exercise its powers and perform its duties and functions ~~as if~~

1 ~~transferred to the department by a type 1 transfer~~ UNDER THE  
2 DEPARTMENT OF HIGHER EDUCATION. The division, except for the private  
3 occupational school board, and the OFFICE OF THE director ~~thereof~~ OF THE  
4 DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
5 shall exercise their powers and perform their duties and functions ~~as if~~  
6 ~~transferred to the department by a type 2 transfer~~ UNDER THE  
7 DEPARTMENT OF HIGHER EDUCATION AND THE EXECUTIVE DIRECTOR OF  
8 THE DEPARTMENT.

9 (6) The office of state archaeologist, created by IN part 4 of article  
10 80 of this title, ~~and its powers, duties, and functions are transferred by a~~  
11 ~~type 2 transfer to the state historical society, as a section thereof.~~ TITLE  
12 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
13 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS A  
14 SECTION WITHIN THE STATE HISTORICAL SOCIETY.

15 **SECTION 11.** In Colorado Revised Statutes, 23-1-102, **amend**  
16 (2) as follows:

17 **23-1-102. Commission established - terms of office.** (2) There  
18 is hereby established a central policy and coordinating board for higher  
19 education in the state of Colorado, to be known as the Colorado  
20 commission on higher education, referred to in this ~~article~~ ARTICLE 1 as  
21 the "commission". The duties and powers delegated to the commission by  
22 this ~~article~~ ARTICLE 1 apply to all state-supported institutions of higher  
23 education, including, but not limited to, all postsecondary institutions in  
24 the state supported in whole or part by state funds, and including  
25 community colleges, extension programs of the state-supported  
26 universities and colleges, local district colleges, area technical colleges,  
27 the Auraria higher education center established in article 70 of this title

1 TITLE 23, and specifically the regents of the university of Colorado and  
2 the institutions it governs. The governing boards and institutions of the  
3 public system of higher education in Colorado, including the university  
4 of Colorado, are obligated to conform to the policies set by the  
5 commission within the authorities delegated to it in this ~~article~~ ARTICLE  
6 1. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

7 **SECTION 12.** In Colorado Revised Statutes, 23-3.1-103, **amend**  
8 (1) as follows:

9 **23-3.1-103. Division created - director - staff.** (1) ~~There is~~  
10 ~~hereby created~~ The student loan division AND THE OFFICE OF THE  
11 DIRECTOR OF THE DIVISION ARE CREATED in the department of higher  
12 education. ~~and the office of director of the division.~~ The division and the  
13 OFFICE OF THE director OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED  
14 IN SECTION 24-1-105, AND shall exercise their powers and perform their  
15 DUTIES AND functions ~~under this article as if the same were transferred to~~  
16 ~~the department by a type 2 transfer~~ UNDER THE DEPARTMENT. The  
17 director of collegeinvest ~~shall be~~ IS the director of the division. The  
18 director, with the approval of the executive director of the commission,  
19 shall employ such professional and clerical personnel as deemed  
20 necessary to carry out the duties and functions of the division. The  
21 director and professional personnel ~~are declared to~~ hold educational  
22 offices and ~~to be~~ ARE exempt from the state personnel system.

23 **SECTION 13.** In Colorado Revised Statutes, 23-41-201, **amend**  
24 (1) as follows:

25 **23-41-201. Transfer of geological survey - memorandum of**  
26 **understanding - report.** (1) With the exception of the Colorado  
27 avalanche information center created pursuant to section 24-33-116,

1 C.R.S., on January 31, 2013, the Colorado geological survey and the  
2 office of the state geologist and their powers, duties, and functions are  
3 transferred from the department of natural resources to the Colorado  
4 school of mines. ~~The Colorado school of mines shall exercise its powers~~  
5 ~~and perform its functions and duties as if the geological survey and the~~  
6 ~~office of the state geologist were transferred to the Colorado school of~~  
7 ~~mines by a type 2 transfer.~~ THE COLORADO GEOLOGICAL SURVEY AND  
8 THE OFFICE OF THE STATE GEOLOGIST ARE **TYPE 2** ENTITIES, AS DEFINED IN  
9 SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
10 THEIR DUTIES AND FUNCTIONS UNDER THE COLORADO SCHOOL OF MINES.

11 **SECTION 14.** In Colorado Revised Statutes, **amend** 23-64-105  
12 as follows:

13 **23-64-105. Private occupational school division - creation.**

14 ~~There is hereby created~~ The private occupational school division AND THE  
15 OFFICE OF THE DIRECTOR OF THE DIVISION ARE CREATED in the department  
16 of higher education. ~~and the office of director of the division.~~ The  
17 division and the OFFICE OF THE director OF THE DIVISION ARE **TYPE 2**  
18 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise their  
19 powers and perform their duties and functions specified in this article 64  
20 under the department of higher education and the executive director  
21 ~~thereof as if the same were transferred to the department by a type 2~~  
22 ~~transfer as such transfer is defined in the "Administrative Organization~~  
23 ~~Act of 1968", article 1 of title 24~~ OF THE DEPARTMENT. The director ~~shall~~  
24 ~~be~~ IS appointed by the executive director. The director, with the approval  
25 of the executive director, shall employ such professional and clerical  
26 personnel as deemed necessary to carry out the duties and functions of the  
27 division. The director and professional personnel ~~are declared to hold~~

1 educational offices and ~~to be~~ ARE exempt from the state personnel system.

2 **SECTION 15.** In Colorado Revised Statutes, 23-64-107, **amend**  
3 (2) as follows:

4 **23-64-107. Private occupational school board - established -**  
5 **membership.** (2) Effective July 1, 1998, there is established, in the  
6 private occupational school division, the private occupational school  
7 board that shall advise the director on the administration of this article 64  
8 and ~~shall have~~ HAS the powers and duties specified in section 23-64-108.  
9 The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
10 shall exercise its powers and perform its duties and functions AS specified  
11 in this article 64. ~~as if the same were transferred to the department of~~  
12 ~~higher education by a **type 1** transfer, as such transfer is defined in the~~  
13 ~~"Administrative Organization Act of 1968", article 1 of title 24.~~

14 **SECTION 16.** In Colorado Revised Statutes, **amend** 24-80-201  
15 as follows:

16 **24-80-201. Society an educational institution.** The state  
17 historical society, an incorporated organization, is ~~hereby declared to be~~  
18 one of the educational institutions of the state of Colorado. The state  
19 historical society ~~exercises~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
20 24-1-105, AND SHALL EXERCISE its powers AND PERFORM ITS duties and  
21 functions under the department of higher education. ~~as if it were~~  
22 ~~transferred to the department by a **type 1** transfer under the provisions of~~  
23 ~~the "Administrative Organization Act of 1968", article 1 of this title.~~

24 **SECTION 17.** In Colorado Revised Statutes, **amend** 24-80-403  
25 as follows:

26 **24-80-403. Office of state archaeologist - purpose.** There is  
27 ~~hereby established~~ The office of state archaeologist ~~which shall be~~ IS

1 ESTABLISHED AS a section within the society in the department of higher  
2 education. THE OFFICE OF STATE ARCHAEOLOGIST IS A **TYPE 2** ENTITY, AS  
3 DEFINED IN SECTION 24-1-105. The purpose of the office of state  
4 archaeologist shall be IS to coordinate, encourage, and preserve by the use  
5 of appropriate means the full understanding of this state's archaeological  
6 resources as the same pertain to man's HUMANKIND'S cultural heritage, the  
7 study and understanding of which within the state of Colorado will result  
8 in an ultimate benefit to the citizens of this state.

9 *<{Department of Education}>*

10 **SECTION 18.** In Colorado Revised Statutes, 24-1-115, **amend**  
11 (2), (3), (4), (5), (8), (9), (10), (11), (12), (13), (14), (15), and (16) as  
12 follows:

13 **24-1-115. Department of education - creation.** (2) The state  
14 board of education, created by IN part 1 of article 2 of title 22, C.R.S., and  
15 its powers, duties, and functions are transferred by a **type 1** transfer to the  
16 ~~department of education~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
18 FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, SUBJECT TO THE  
19 STATE CONSTITUTION.

20 (3) The state department of education and the office of the  
21 commissioner of education, created by IN part 1 of article 2 of title 22,  
22 C.R.S., and their powers, duties, and functions are transferred by a **type**  
23 **2** transfer to the department of education, subject to the state constitution,  
24 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
25 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
26 UNDER THE DEPARTMENT OF EDUCATION, SUBJECT TO THE STATE  
27 CONSTITUTION.

1           (4) The department of education ~~shall include~~ INCLUDES the state  
2 library, the ex officio head of which ~~shall be~~ IS the commissioner of  
3 education. The state library, created ~~by~~ IN article 90 of this ~~title and its~~  
4 ~~powers, duties, and functions are transferred by a type 2 transfer to the~~  
5 ~~department of education as a division thereof~~ TITLE 24, IS A **TYPE 2**  
6 ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
7 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
8 DEPARTMENT OF EDUCATION AS A DIVISION THEREOF, AND THE  
9 COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

10           (5) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
11 EDUCATION AND THE STATE BOARD OF EDUCATION INCLUDE THE POWERS,  
12 DUTIES, AND FUNCTIONS OF THE state board of teacher certification,  
13 created ~~by~~ IN article 1 of chapter 123, C.R.S. 1963, ~~and its powers, duties,~~  
14 ~~and functions are transferred by a type 3 transfer to the department of~~  
15 ~~education as additional powers, duties, and functions of the state board of~~  
16 ~~education~~, and the state board of teacher certification is abolished.

17           (8) The DEPARTMENT OF EDUCATION INCLUDES THE Colorado  
18 school for the deaf and the blind, as provided for in article 80 of title 22,  
19 ~~C.R.S., and its powers, duties, and functions are transferred by a type 1~~  
20 ~~transfer to the department of education~~ AND THE BOARD OF TRUSTEES OF  
21 THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, CREATED IN  
22 SECTION 22-80-103. THE COLORADO SCHOOL FOR THE DEAF AND THE  
23 BLIND AND THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL FOR THE  
24 DEAF AND THE BLIND ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION  
25 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
26 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

27           (9) The department of education ~~shall include~~ INCLUDES the state



1 charter school institute established in section 22-30.5-503. ~~C.R.S., and its~~  
2 ~~powers, duties, and functions, as if the institute were transferred by a type~~  
3 ~~1 transfer to the department of education~~ THE STATE CHARTER SCHOOL  
4 INSTITUTE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
5 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
6 UNDER THE DEPARTMENT OF EDUCATION.

7 (10) The department of education ~~shall include~~ INCLUDES the  
8 division of online learning AND THE OFFICE OF THE DIRECTOR OF THE  
9 DIVISION established in section 22-30.7-103. ~~C.R.S., and its powers,~~  
10 ~~duties, and functions, as if the division were transferred by~~ IS A **type 2**  
11 ~~transfer to the department of education~~ THE DIVISION OF ONLINE  
12 LEARNING AND THE OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE**  
13 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
14 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
15 DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD  
16 OF EDUCATION.

17 (11) (a) The department of education ~~shall include~~ INCLUDES the  
18 division of public school capital construction assistance AND THE  
19 DIRECTOR OF THE DIVISION established in section 22-43.7-105. ~~C.R.S., and~~  
20 ~~its powers, duties, and functions, as if the division were transferred by~~ IS  
21 ~~a type 2 transfer to the department of education~~ THE DIVISION OF PUBLIC  
22 SCHOOL CAPITAL CONSTRUCTION AND THE DIRECTOR OF THE DIVISION ARE  
23 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
24 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
25 DEPARTMENT OF EDUCATION.

26 (b) The department of education ~~shall include~~ INCLUDES the public  
27 school capital construction assistance board established in section

1 22-43.7-106. ~~C.R.S., and its powers, duties, and functions, as if the board~~  
2 ~~were transferred by a type 1 transfer to the department of education~~ THE  
3 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD IS A **TYPE 1**  
4 ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
5 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
6 DEPARTMENT OF EDUCATION.

7 (12) The department of education ~~shall include~~ INCLUDES the  
8 facility schools unit AND THE OFFICE OF THE DIRECTOR OF THE FACILITY  
9 SCHOOLS UNIT established in section 22-2-403. ~~C.R.S., and its powers,~~  
10 ~~duties, and functions, as if the unit were transferred by a type 2 transfer~~  
11 ~~to the department of education~~ THE FACILITY SCHOOLS UNIT AND THE  
12 OFFICE OF THE DIRECTOR OF THE FACILITY SCHOOLS UNIT ARE **TYPE 2**  
13 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
14 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
15 DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD  
16 OF EDUCATION.

17 (13) The department of education ~~shall include~~ INCLUDES the  
18 facility schools board established in section 22-2-404. ~~C.R.S., and its~~  
19 ~~powers, duties, and functions, as if the board were transferred by a type~~  
20 ~~1 transfer to entity the department of education~~ THE FACILITY SCHOOLS  
21 BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
22 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
23 THE DEPARTMENT OF EDUCATION.

24 (14) The department of education ~~shall include~~ INCLUDES the  
25 Colorado state advisory council for parent involvement in education  
26 created in section 22-7-303. ~~C.R.S., and its powers, duties, and functions,~~  
27 ~~as if the council were transferred by a type 2 transfer to the department~~

1 ~~of education~~ THE COLORADO STATE ADVISORY COUNCIL FOR PARENT  
2 INVOLVEMENT IN EDUCATION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
3 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
4 FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER  
5 OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

6 (15) The department of education ~~shall include~~ INCLUDES the  
7 office of dropout prevention and student re-engagement AND THE  
8 DIRECTOR OF THE OFFICE, established in section 22-14-103. ~~C.R.S., and~~  
9 ~~its powers, duties, and functions, as if the office were transferred by a~~  
10 ~~type 2 transfer to the department of education~~ THE OFFICE OF DROPOUT  
11 PREVENTION AND STUDENT RE-ENGAGEMENT AND THE DIRECTOR OF THE  
12 OFFICE ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
13 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
14 UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER OF  
15 EDUCATION, AND THE STATE BOARD OF EDUCATION.

16 (16) The department of education ~~shall include~~ INCLUDES the  
17 concurrent enrollment advisory board created in section 22-35-107.  
18 ~~C.R.S., and its powers, duties, and functions, as if the board were~~  
19 ~~transferred by a type 2 transfer to the department of education~~ THE  
20 CONCURRENT ENROLLMENT ADVISORY BOARD IS A **TYPE 2** ENTITY, AS  
21 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
22 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
23 EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD.

24 **SECTION 19.** In Colorado Revised Statutes, 22-2-106, **amend**  
25 (1) introductory portion as follows:

26 **22-2-106. State board - duties - rules.** (1) THE STATE BOARD IS  
27 A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. It is the duty of the

1 state board:

2 **SECTION 20.** In Colorado Revised Statutes, 22-2-110, **amend**  
3 (2) as follows:

4 **22-2-110. Commissioner of education - oath - qualifications -**  
5 **tenure.** (2) The STATE BOARD SHALL APPOINT THE commissioner ~~shall be~~  
6 ~~appointed by the state board, serve~~ WHO SHALL SERVE at the pleasure of  
7 the board, and receive such compensation as may be determined by the  
8 board. THE COMMISSIONER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
9 24-1-105.

10 **SECTION 21.** In Colorado Revised Statutes, 22-2-403, **amend**  
11 (2) as follows:

12 **22-2-403. Facility schools unit - created.** (2) The facility  
13 schools unit and the office of the director of facility schools shall exercise  
14 their powers and perform their duties and functions under the department,  
15 the commissioner of education, and the state board of education. ~~as if the~~  
16 ~~same were transferred to the department by a type 2 transfer as defined~~  
17 ~~in the "Administrative Organization Act of 1968", article 1 of title 24,~~  
18 ~~C.R.S.~~ THE FACILITY SCHOOLS UNIT AND THE OFFICE OF THE DIRECTOR OF  
19 FACILITY SCHOOLS ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
20 24-1-105.

21 **SECTION 22.** In Colorado Revised Statutes, 22-2-404, **amend**  
22 (1) as follows:

23 **22-2-404. Facility schools board - created - membership.**

24 (1) There is ~~hereby~~ created the facility schools board to adopt curriculum  
25 standards and set graduation requirements for facility schools and to  
26 collaborate with and advise the unit. The facility schools board ~~shall~~  
27 ~~consist~~ CONSISTS of seven members appointed by the state board as

1 provided in this section. The state board shall appoint the initial members  
2 of the facility schools board on or before November 1, 2008. The facility  
3 schools board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
4 shall exercise its powers and perform its duties and functions ~~as if the~~  
5 ~~same were transferred to the department by a type 1 transfer as defined~~  
6 ~~in the "Administrative Organization Act of 1968", article 1 of title 24,~~  
7 ~~C.R.S.~~ UNDER THE DEPARTMENT OF EDUCATION.

8 **SECTION 23.** In Colorado Revised Statutes, 22-7-303, **amend**  
9 (1) as follows:

10 **22-7-303. Colorado state advisory council for parent**  
11 **involvement in education - created - membership.** (1) There is hereby  
12 created ~~within~~ IN the department of education the Colorado state advisory  
13 council for parent involvement in education. The council ~~shall consist~~  
14 CONSISTS of members appointed as provided in this section and ~~shall have~~  
15 HAS the powers and duties specified in this part 3. The council IS A **TYPE**  
16 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
17 and perform its duties and functions under the department, the  
18 commissioner of education, and the state board of education. ~~as if the~~  
19 ~~same were transferred to the department by a type 2 transfer as defined~~  
20 ~~in the "Administrative Organization Act of 1968", article 1 of title 24,~~  
21 ~~C.R.S.~~

22 **SECTION 24.** In Colorado Revised Statutes, 22-14-103, **amend**  
23 (1)(b) as follows:

24 **22-14-103. Office of dropout prevention and student**  
25 **re-engagement - created - purpose - duties.** (1) (b) The office of  
26 dropout prevention and student re-engagement and the director of the  
27 office ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall

1 exercise their powers and perform their duties and functions under the  
2 department of education, the commissioner of education, and the state  
3 board of education. ~~as if the same were transferred to the department of~~  
4 ~~education by a type 2 transfer as defined in the "Administrative~~  
5 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

6 **SECTION 25.** In Colorado Revised Statutes, 22-30.5-503,  
7 **amend** (1)(a) as follows:

8 **22-30.5-503. State charter school institute - establishment -**  
9 **rules.** (1) (a) There is established, as an independent agency in the  
10 department of education, the state charter school institute. The institute  
11 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
12 its powers and perform its duties and functions ~~as if it were transferred to~~  
13 ~~the department by a type 1 transfer under the provisions of the~~  
14 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~  
15 UNDER THE DEPARTMENT OF EDUCATION.

16 **SECTION 26.** In Colorado Revised Statutes, 22-30.7-103,  
17 **amend** (1)(b) as follows:

18 **22-30.7-103. Division of online learning - created - duties -**  
19 **report.** (1) **Creation.** (b) The division of online learning and the office  
20 of the director ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,  
21 AND shall exercise their powers and perform their duties and functions  
22 under the department, the commissioner of education, and the state board  
23 of education. ~~as if the same were transferred to the department by a type~~  
24 ~~2 transfer, as such transfer is defined in the "Administrative Organization~~  
25 ~~Act of 1968", article 1 of title 24, C.R.S.~~

26 **SECTION 27.** In Colorado Revised Statutes, 22-35-107, **amend**  
27 (1) as follows:

1           **22-35-107. Concurrent enrollment advisory board - created -**  
2   **membership - duties - reports - repeal.** (1) There is hereby created  
3   ~~within~~ IN the department the concurrent enrollment advisory board. The  
4   board ~~shall consist~~ CONSISTS of members appointed as provided in this  
5   section and ~~shall have~~ HAS the powers and duties specified in this section.  
6   The board IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
7   shall exercise its powers and perform its duties and functions under the  
8   department, the commissioner of education, and the state board. ~~as if the~~  
9   ~~same were transferred to the department by a type 2 transfer as defined~~  
10   ~~in the "Administrative Organization Act of 1968", article 1 of title 24,~~  
11   ~~C.R.S.~~

12           **SECTION 28.** In Colorado Revised Statutes, 22-43.7-105,  
13   **amend** (1)(b) as follows:

14           **22-43.7-105. Division of public school capital construction**  
15   **assistance - creation - director - function - powers and duties.**  
16   (1) (b) The division and the director of the division ARE **TYPE 2** ENTITIES,  
17   AS DEFINED IN SECTION 24-1-105, AND shall exercise their powers and  
18   perform their duties and functions under the department. ~~as if the same~~  
19   ~~were transferred to the department by a type 2 transfer, as such transfer~~  
20   ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
21   ~~title 24, C.R.S.~~

22           **SECTION 29.** In Colorado Revised Statutes, 22-43.7-106,  
23   **amend** (1)(a) introductory portion as follows:

24           **22-43.7-106. Public school capital construction assistance**  
25   **board - creation - general powers and duties - rules.** (1) (a) There is  
26   ~~hereby~~ created ~~within~~ IN the department the public school capital  
27   construction assistance board. ~~which~~ THE BOARD IS A **TYPE 1** ENTITY, AS

1     DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
2     its duties and functions under the department. ~~as if the same were~~  
3     ~~transferred to the department by a type 1 transfer, as such transfer is~~  
4     ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
5     ~~24, C.R.S.~~ The board ~~shall consist~~ CONSISTS of nine appointed members,  
6     none of whom shall hold any state elective office. Five voting members  
7     of the board ~~shall~~ constitute a quorum. Board members ~~shall be~~ ARE  
8     appointed as follows:

9             **SECTION 30.** In Colorado Revised Statutes, 22-80-103, **amend**  
10    (1)(a) as follows:

11            **22-80-103. Board of trustees - appointments - powers - duties**  
12    **- fund created.** (1) (a) There is ~~hereby created by a type 1 transfer~~ in the  
13    department of education a board of trustees for the Colorado school for  
14    the deaf and the blind. THE BOARD OF TRUSTEES IS A **TYPE 1** ENTITY, AS  
15    DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
16    PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
17    EDUCATION. The board of trustees ~~shall consist~~ CONSISTS of seven  
18    members who are residents of Colorado, appointed by the governor with  
19    the consent of the senate. Of these seven members, at least one appointee  
20    ~~shall~~ MUST be a blind person and at least one appointee ~~shall~~ MUST be a  
21    deaf person. Beginning with the first appointment made on or after  
22    August 5, 2009, the governor shall ensure that, of the seven members of  
23    the board of trustees, at least one appointee is the parent of a child who  
24    is deaf or blind or both.

25            **SECTION 31.** In Colorado Revised Statutes, 24-90-104, **amend**  
26    (1) as follows:

27            **24-90-104. State library created - administration.** (1) The state



1 library is hereby created as a division of the department of education, and  
2 its operation is declared to be an essential administrative function of the  
3 state government. THE STATE LIBRARY IS A **TYPE 2** ENTITY, AS DEFINED IN  
4 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
5 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE  
6 COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

7 *<{Department of Revenue}>*

8 **SECTION 32.** In Colorado Revised Statutes, 24-1-117, **amend**  
9 (2), (3), (4)(a) introductory portion, (4)(a)(IV), (4)(a)(V), (4)(a)(VI),  
10 (4)(a)(VII), and (4)(a)(X); and **add** (4)(a)(XI) as follows:

11 **24-1-117. Department of revenue - creation.** (2) The  
12 department of revenue and the office of THE EXECUTIVE director of THE  
13 DEPARTMENT OF revenue ARE created by IN article 35 of this title, and  
14 ~~their powers, duties, and functions are transferred by a type 2 transfer to~~  
15 ~~the department of revenue~~ TITLE 24. THE EXECUTIVE DIRECTOR OF THE  
16 DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND SHALL EXERCISE THE DIRECTOR'S POWERS AND PERFORM  
18 THE DIRECTOR'S DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
19 REVENUE.

20 (3) The powers, duties, and functions of the ~~secretary of state~~  
21 DEPARTMENT OF REVENUE AND THE LIQUOR ENFORCEMENT DIVISION,  
22 WHICH IS CREATED IN SUBSECTION (4)(a) OF THIS SECTION, INCLUDE THE  
23 POWERS, DUTIES, AND FUNCTIONS with respect to fermented malt  
24 beverages and malt, vinous, and spirituous liquors ~~under~~ PURSUANT TO  
25 the provisions of articles 3, 4, and 5 of title 44 ~~are transferred by a type~~  
26 ~~2 transfer to the department of revenue~~ THAT WERE FORMERLY VESTED IN  
27 THE SECRETARY OF STATE.

1 (4) (a) The department of revenue ~~shall consist~~ CONSISTS of the  
2 following divisions:

3 (IV) THE liquor enforcement division, WHICH IS A **TYPE 2** ENTITY,  
4 AS DEFINED IN SECTION 24-1-105;

5 (V) THE state lottery division, INCLUDING THE COLORADO  
6 LOTTERY COMMISSION CREATED IN SECTION ~~44-40-108~~, AND THE  
7 DIRECTOR OF THE STATE LOTTERY DIVISION, CREATED IN SECTION  
8 ~~44-40-102~~, WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

9 (VI) THE division of racing events ~~including~~ CREATED IN SECTION  
10 ~~44-32-201 (1)~~, THE DIRECTOR OF THE DIVISION OF RACING EVENTS, AND  
11 the Colorado racing commission, CREATED IN SECTION ~~44-32-301 (1)~~,  
12 WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

13 (VII) THE division of gaming ~~including~~ CREATED IN SECTION  
14 ~~44-30-201~~, THE DIRECTOR OF THE DIVISION OF GAMING, AND the Colorado  
15 limited gaming control commission, CREATED IN SECTION ~~44-30-301~~,  
16 WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

17 (X) The auto industry division, created in ~~section 12-6-105~~  
18 SECTION 44-20-105. The division IS A **TYPE 2** ENTITY, AS DEFINED IN  
19 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
20 and functions under the department of revenue; ~~as if the division were~~  
21 ~~transferred to the department by a type 2 transfer as described in section~~  
22 ~~24-1-105~~; AND

23 (XI) THE STATE LICENSING AUTHORITY CREATED IN SECTION  
24 44-10-201.

25 **SECTION 33.** In Colorado Revised Statutes, 24-35-102, **amend**  
26 (1) as follows:

27 **24-35-102. Executive director - annual report.** (1) There is

1 hereby created the office of the executive director of the department of  
2 revenue, who ~~shall be~~ IS the head of the department. The executive  
3 director shall be appointed by the governor, with the consent of the  
4 senate, and shall serve at the pleasure of the governor. The reappointment  
5 of an executive director after initial election of a governor shall be subject  
6 to ~~the provisions of~~ section 24-20-109. Whenever any law of this state  
7 refers to the director of revenue, such law shall be deemed to refer to the  
8 executive director of the department of revenue. THE EXECUTIVE  
9 DIRECTOR OF THE DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS  
10 DEFINED IN SECTION 24-1-105.

11 **SECTION 34.** In Colorado Revised Statutes, 44-20-105, **amend**  
12 (1) as follows:

13 **44-20-105. Auto industry division - creation - powers and**  
14 **duties of executive director and director.** (1) There is hereby created  
15 in the department the auto industry division, the head of which is the  
16 director of the division. The director is appointed by the executive  
17 director and serves at the pleasure of the executive director. The division  
18 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
19 its powers and perform its duties and functions under the department. ~~as~~  
20 ~~if the division were transferred to the department by a type 2 transfer as~~  
21 ~~described in section 24-1-105.~~

22 **SECTION 35.** In Colorado Revised Statutes, 44-30-201, **amend**  
23 (1) as follows:

24 **44-30-201. Division of gaming - creation.** (1) There is hereby  
25 created ~~within~~ IN the department the division of gaming, the head of  
26 which is the director of the division of gaming. The director is appointed  
27 by, and is subject to removal MAY BE REMOVED by, the executive director.

1 The division of gaming, the Colorado limited gaming control commission  
2 created in section 44-30-301, and the director of the division of gaming  
3 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
4 their respective powers and perform their respective duties and functions  
5 as specified in this article 30 under the department; ~~as if they were~~  
6 ~~transferred to the department by a type 2 transfer, as the transfer is~~  
7 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
8 ~~24;~~ except that the commission has full and exclusive authority to  
9 promulgate rules related to limited gaming and sports betting without any  
10 approval by, or delegation of authority from, the department.  
11 Notwithstanding any provision of this subsection (1) to the contrary,  
12 sports betting is not authorized unless the voters at the November 2019  
13 statewide election approve the ballot question submitted pursuant to  
14 section 44-30-1514, enacted in 2019 in House Bill 19-1327.

15 **SECTION 36.** In Colorado Revised Statutes, 44-32-201, **amend**  
16 (1) as follows:

17 **44-32-201. Division of racing events - creation - representation**  
18 **- rules.** (1) ~~There~~ THE DIVISION OF RACING EVENTS is ~~hereby~~ created  
19 ~~within~~ IN the department, ~~the division of racing events~~, the head of which  
20 ~~shall be~~ IS the director of the division of racing events. The director ~~shall~~  
21 ~~be~~ IS appointed by, and ~~shall be subject to removal~~ MAY BE REMOVED by,  
22 the executive director. The division of racing events, the Colorado racing  
23 commission created in section 44-32-301, and the director of the division  
24 of racing events ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,  
25 AND shall exercise their respective powers and perform their respective  
26 duties and functions as specified in this article 32 under the department;  
27 ~~as if the same were transferred to the department by a type 2 transfer, as~~

1 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~  
2 ~~article 1 of title 24;~~ except that the commission ~~shall have~~ HAS full and  
3 exclusive authority to promulgate rules related to racing without any  
4 approval by, or delegation of authority from, the department.

5 **SECTION 37.** In Colorado Revised Statutes, 44-40-102, **amend**  
6 (2) as follows:

7 **44-40-102. State lottery division - creation - location -**  
8 **enterprise status.** (2) The state lottery division, including the Colorado  
9 lottery commission created in section 44-40-108, and the director of the  
10 state lottery division ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
11 24-1-105, AND shall exercise their powers and perform their duties and  
12 functions specified in this article 40 under the department; ~~as if the same~~  
13 ~~were transferred to the department by a type 2 transfer, as that transfer is~~  
14 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
15 ~~24;~~ except that the commission ~~shall have~~ HAS full and exclusive  
16 authority to promulgate rules related to the lottery without any approval  
17 by, or delegation of authority from, the department.

18 **SECTION 38.** In Colorado Revised Statutes, 44-40-109, **amend**  
19 (1) introductory portion and (1)(a) as follows:

20 **44-40-109. Commission - powers and duties - rules.** (1) In  
21 addition to any other powers and duties set forth in this article 40, the  
22 commission ~~shall have~~ HAS the following powers and duties:

23 (a) To promulgate rules governing the establishment and  
24 operation of the lottery as it deems necessary to carry out the purposes of  
25 this article 40. The director shall prepare and submit to the commission  
26 written recommendations concerning proposed rules for this purpose.

27 **ALTHOUGH THE COMMISSION IS A TYPE 2 ENTITY, AS DEFINED IN SECTION**

1 24-1-105, THE COMMISSION HAS FULL AND EXCLUSIVE AUTHORITY TO  
2 PROMULGATE RULES RELATED TO THE LOTTERY WITHOUT ANY APPROVAL  
3 BY, OR DELEGATION OF AUTHORITY FROM, THE DEPARTMENT.

4 <{*Department of Public Health and Environment*}>

5 **SECTION 39.** In Colorado Revised Statutes, 24-1-119, **amend**  
6 (2), (3), (5) introductory portion, (5)(a), (5)(c), (6) introductory portion,  
7 (6)(a), (6)(b), (6)(d), (7)(a), (7)(c), (8), (11), (12), (13), and (14); and **add**  
8 (15) and (16) as follows:

9 **24-1-119. Department of public health and environment -**  
10 **creation.** (2) The state board of health, created by IN part 1 of article 1  
11 of title 25, C.R.S., and its powers, duties, and functions are transferred by  
12 a **type 1** transfer to the department of public health and environment as  
13 ~~the state board of health~~. IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
14 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
15 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND  
16 ENVIRONMENT.

17 (3) The ~~state~~ water quality control commission, created by IN part  
18 2 of article 8 of title 25, C.R.S., and its powers, duties, and functions are  
19 ~~transferred by a type 1~~ transfer to the department of public health and  
20 ~~environment as the state water quality control commission~~ IS A **TYPE 1**  
21 ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
22 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
23 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. Anything in this  
24 ~~article~~ ARTICLE 1 to the contrary notwithstanding, the state board of health  
25 ~~shall have~~ HAS no powers, duties, or functions with respect to water  
26 pollution control.

27 (5) The department of public health and environment ~~shall consist~~

1 CONSISTS of the following divisions:

2 (a) THE division of administration. The division of administration,  
3 created ~~by~~ IN part 1 of article 1 of title 25, ~~C.R.S.~~, except for the office of  
4 the executive director of the state department of public health, ~~and its~~  
5 ~~powers, duties, and functions are transferred by a type 2 transfer to the~~  
6 ~~department of public health and environment as the division of~~  
7 ~~administration~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
8 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
9 UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

10 (c) The prevention services division, created in article 20.5 of title  
11 25, ~~C.R.S.~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

12 (6) The division of administration ~~shall include~~ INCLUDES the  
13 following:

14 (a) The office of state chemist, created ~~by~~ IN part 4 of article 1 of  
15 title 25. ~~C.R.S. Said office and its powers, duties, and functions are~~  
16 ~~transferred by a type 2 transfer to the department of public health and~~  
17 ~~environment and allocated to the division of administration as a section~~  
18 ~~thereof~~ THE OFFICE OF THE STATE CHEMIST IS A **TYPE 2** ENTITY, AS  
19 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
20 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC  
21 HEALTH AND ENVIRONMENT AS A SECTION OF THE DIVISION OF  
22 ADMINISTRATION.

23 (b) The office of state registrar of vital statistics, created ~~by~~ IN  
24 article 2 of title 25. ~~C.R.S. Said office and its powers, duties, and~~  
25 ~~functions are transferred by a type 2 transfer to the department of public~~  
26 ~~health and environment and allocated to the division of administration as~~  
27 ~~a section thereof~~ THE OFFICE OF STATE REGISTRAR OF VITAL STATISTICS

1 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
2 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
3 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AS A SECTION OF  
4 THE DIVISION OF ADMINISTRATION.

5 (d) The ~~plant~~ WATER AND WASTEWATER FACILITY operators  
6 certification board, created ~~by article 9 of title 25, C.R.S.~~ IN SECTION  
7 25-9-103. THE WATER AND WASTEWATER FACILITY OPERATORS  
8 CERTIFICATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
9 24-1-105.

10 (7) (a) The air quality control commission, created ~~by~~ IN part 1 of  
11 article 7 of title 25, ~~C.R.S., shall exercise its powers and perform its~~  
12 ~~duties and functions as if the same were transferred by a type 1 transfer~~  
13 ~~to the department of public health and environment~~ IS A **TYPE 1** ENTITY,  
14 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
15 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC  
16 HEALTH AND ENVIRONMENT. Anything in this ~~article~~ ARTICLE 1 to the  
17 contrary notwithstanding, the state board of health ~~shall have~~ HAS no  
18 powers, duties, or functions with respect to air pollution other than as  
19 provided in section 25-7-111 (1). ~~C.R.S.~~

20 (c) The ~~office of~~ technical secretary OF THE AIR QUALITY CONTROL  
21 COMMISSION, created ~~by~~ IN part 1 of article 7 of title 25, ~~C.R.S., shall~~  
22 ~~exercise its powers and perform its duties and functions as if the same~~  
23 ~~were transferred by a type 1 transfer to the department of public health~~  
24 ~~and environment and allocated to the air quality control commission~~ IS A  
25 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE TECHNICAL  
26 SECRETARY OF THE AIR QUALITY CONTROL COMMISSION SHALL EXERCISE  
27 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE



1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND IS ALLOCATED  
2 TO THE AIR QUALITY CONTROL COMMISSION.

3 (8) The solid and hazardous waste commission, created in part 3  
4 of article 15 of title 25, ~~C.R.S., shall exercise its powers and perform its~~  
5 ~~duties and functions as if the same were transferred by a type 1 transfer~~  
6 ~~to the department of public health and environment~~ IS A **TYPE 1** ENTITY,  
7 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
8 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC  
9 HEALTH AND ENVIRONMENT.

10 (11) The office of health equity AND THE DIRECTOR OF THE OFFICE,  
11 created by IN section 25-4-2204, ~~C.R.S., shall exercise its powers and~~  
12 ~~perform its duties and functions as if the same were transferred by a type~~  
13 ~~2 transfer to the department of public health and environment~~ ARE **TYPE**  
14 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
15 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
16 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

17 (12) The primary care office AND THE DIRECTOR OF THE OFFICE,  
18 created by IN part 4 of article 1.5 of title 25, ~~C.R.S., shall exercise its~~  
19 ~~powers and perform its duties and functions as if it were transferred by a~~  
20 ~~type 2 transfer to the department of public health and environment~~ ARE  
21 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
22 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
23 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

24 (13) The clean fleet enterprise, created in section 25-7.5-103, ~~shall~~  
25 ~~exercise its powers and perform its duties as if the same were transferred~~  
26 ~~by a type 1 transfer, as defined in section 24-1-105, to the department of~~  
27 ~~public health and environment~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

1 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
2 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND  
3 ENVIRONMENT.

4 (14) The nursing home innovations grant board, created in section  
5 25-1-107.5 (6)(a), ~~shall exercise its powers and perform its duties and~~  
6 ~~functions as if it were transferred by a type 2 transfer to the department~~  
7 ~~of public health and environment~~ IS A **TYPE 2** ENTITY, AS DEFINED IN  
8 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
9 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND  
10 ENVIRONMENT.

11 (15) THE COLORADO CORONERS STANDARDS AND TRAINING  
12 BOARD, CREATED IN SECTION 30-10-601.6, IS A **TYPE 2** ENTITY, AS  
13 DEFINED IN SECTION 24-1-105.

14 (16) THE EMERGENCY MEDICAL PRACTICE ADVISORY COUNCIL,  
15 CREATED IN SECTION 25-3.5-206, IS A **TYPE 2** ENTITY, AS DEFINED IN  
16 SECTION 24-1-105.

17 **SECTION 40.** In Colorado Revised Statutes, 25-1-102, **amend**  
18 (2) introductory portion and (2)(a) as follows:

19 **25-1-102. Department created - executive director - divisions.**

20 (2) The department ~~shall consist~~ CONSISTS of the following divisions:

21 (a) The division of administration, and such sections and units  
22 established as provided by law. THE DIVISION IS A **TYPE 2** ENTITY, AS  
23 DEFINED IN SECTION 24-1-105.

24 **SECTION 41.** In Colorado Revised Statutes, 25-1-103, **amend**  
25 (1) as follows:

26 **25-1-103. State board of health created.** (1) There is created a  
27 state board of health, referred to in this part 1 as the "board". THE BOARD

1 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists  
2 of nine members, of which one member must be appointed by the  
3 governor, with the consent of the senate, from each congressional district  
4 and the remainder from the state at large. A vacancy on the board occurs  
5 whenever any member moves out of the congressional district from which  
6 he or she was appointed. A member who moves out of such congressional  
7 district shall promptly notify the governor of the date of his or her move,  
8 but the notice is not a condition precedent to the occurrence of the  
9 vacancy. The governor shall fill the vacancy by appointment for the  
10 unexpired term. No more than five members of the board shall be  
11 members of the same major political party. Appointments made to take  
12 effect on January 1, 1983, shall be made in accordance with section  
13 24-1-135. Appointments thereafter are made, with the consent of the  
14 senate, for terms of four years each and made so that no business or  
15 professional group constitutes a majority of the board. In making  
16 appointments to the board, the governor is encouraged to include  
17 representation by at least one member who is a person with a disability,  
18 as defined in section 24-34-301 (2.5), a family member of a person with  
19 a disability, or a member of an advocacy group for persons with  
20 disabilities if the other requirements of this subsection (1) are met.

21 **SECTION 42.** In Colorado Revised Statutes, 25-1-107.5, **amend**  
22 (6)(a) introductory portion as follows:

23 **25-1-107.5. Additional authority of department - rules -**  
24 **remedies against nursing facilities - criteria for recommending**  
25 **assessments for civil penalties - cooperation with department of**  
26 **health care policy and financing - nursing home penalty cash fund -**  
27 **nursing home innovations grant board - reports - transfer of**

1 **contracts to the department.** (6) (a) No later than September 1, 2014,  
2 the department of health care policy and financing shall establish the  
3 nursing home innovations grant board under the department of health care  
4 policy and financing either directly or by contract with or grant to any  
5 public agency or appropriate private nonprofit organization. On and after  
6 July 1, 2021, ~~the powers, duties, and functions related to the board are~~  
7 ~~transferred from the department of health care policy and financing to the~~  
8 ~~department by a type 2 transfer as such transfer is defined in the~~  
9 ~~"Administrative Organization Act of 1968", article 1 of title 24.~~ THE  
10 BOARD IS TRANSFERRED FROM THE DEPARTMENT OF HEALTH CARE POLICY  
11 AND FINANCING TO THE DEPARTMENT. THE BOARD IS A **TYPE 2** ENTITY AS  
12 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
13 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT. The  
14 department, in consultation with stakeholders, shall determine the  
15 appropriate entity to administer the board. The board consists of ten  
16 members as follows:

17 **SECTION 43.** In Colorado Revised Statutes, **amend** 25-1-401 as  
18 follows:

19 **25-1-401. Office of state chemist created.** The professor of food  
20 and drug chemistry in the department of chemistry at the university of  
21 Colorado ~~shall be~~ IS the state chemist of Colorado. The office and  
22 laboratory of the state chemist ~~shall be~~ IS in the department of chemistry  
23 at the university of Colorado. The office of state chemist ~~shall be~~ IS a  
24 section of the division of administration of the department of public  
25 health and environment. THE OFFICE OF STATE CHEMIST IS A **TYPE 2**  
26 ENTITY, AS DEFINED IN SECTION 24-1-105.

27 **SECTION 44.** In Colorado Revised Statutes, 25-1.5-403, **amend**

1 (2) as follows:

2 **25-1.5-403. Primary care office - creation.** (2) The primary care  
3 office and the director of the office ARE **TYPE 2** ENTITIES, AS DEFINED IN  
4 SECTION 24-1-105, AND shall exercise their powers and perform their  
5 duties and functions specified in this part 4 under the department. ~~as if the~~  
6 ~~same were transferred to the department by a type 2 transfer, as such~~  
7 ~~transfer is defined in the "Administrative Organization Act of 1968",~~  
8 ~~article 1 of title 24, C.R.S.~~

9 **SECTION 45.** In Colorado Revised Statutes, 25-2-103, **amend**  
10 (1) as follows:

11 **25-2-103. Centralized registration system for all vital statistics**  
12 **- appointment of registrar - rules.** (1) In order to provide for the  
13 maintenance of a centralized registry of the vital statistics of this state, the  
14 office of state registrar of vital statistics, referred to in this ~~article~~ ARTICLE  
15 2 as the "state registrar", is ~~hereby~~ created in THE DIVISION OF  
16 ADMINISTRATION in the department of public health and environment. The  
17 state registrar ~~shall be~~ IS appointed by the state board of health and ~~shall~~  
18 ~~have~~ HAS such staff and clerical help as IS reasonably ~~may be~~ required in  
19 the performance of the state registrar's duties. The state registrar and the  
20 staff and clerical help of the state registrar ~~shall be~~ ARE subject to the  
21 state constitution and state personnel system laws. THE OFFICE OF THE  
22 STATE REGISTRAR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

23 **SECTION 46.** In Colorado Revised Statutes, 25-3.5-206, **amend**  
24 (1) as follows:

25 **25-3.5-206. Emergency medical practice advisory council -**  
26 **creation - powers and duties - emergency medical service provider**  
27 **scope of practice - definitions - rules.** (1) There is ~~hereby~~ created within

1 IN the department, as a **type 2** entity under the direction of the EXECUTIVE  
2 director OF THE DEPARTMENT, the emergency medical practice advisory  
3 council, referred to in this part 2 as the "advisory council". The advisory  
4 council is responsible for advising the department regarding the  
5 appropriate scope of practice for emergency medical service providers  
6 certified or licensed under section 25-3.5-203. THE ADVISORY COUNCIL  
7 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

8 **SECTION 47.** In Colorado Revised Statutes, 25-4-2204, **amend**  
9 (2) as follows:

10 **25-4-2204. Office of health equity - creation.** (2) The office and  
11 the director of the office ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
12 24-1-105, AND shall exercise their powers and perform their duties and  
13 functions specified in this part 22 under the department. ~~as if the same~~  
14 ~~were transferred to the department by a type 2 transfer, as such transfer~~  
15 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
16 ~~title 24, C.R.S.~~

17 **SECTION 48.** In Colorado Revised Statutes, 25-7-104, **amend**  
18 (1) as follows:

19 **25-7-104. Air quality control commission created.** (1) There is  
20 ~~hereby~~ created in the department of public health and environment the air  
21 quality control commission, which ~~shall consist~~ CONSISTS of nine citizens  
22 of this state ~~who shall be~~ appointed by the governor with the consent of  
23 the senate. THE AIR QUALITY CONTROL COMMISSION IS A **TYPE 1** ENTITY,  
24 AS DEFINED IN SECTION 24-1-105.

25 **SECTION 49.** In Colorado Revised Statutes, 25-7-105, **amend**  
26 (3) as follows:

27 **25-7-105. Duties of commission - rules - legislative declaration**

1   **- definitions.** (3) The commission shall employ a technical secretary and  
2   shall delegate to ~~such~~ THE secretary ~~such~~ THE duties and responsibilities  
3   as it may deem necessary; except that, NOTWITHSTANDING SECTION  
4   24-1-105, no authority shall be delegated to ~~such~~ THE secretary to adopt,  
5   promulgate, amend, or repeal standards or ~~regulations~~ RULES, or to make  
6   determinations, or to issue or countermand orders of the commission.  
7   ~~Such~~ THE secretary ~~shall~~ MUST have appropriate practical, educational,  
8   and administrative experience related to air pollution control and ~~shall~~  
9   MUST be employed pursuant to the state personnel system laws. THE  
10   TECHNICAL SECRETARY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
11   24-1-105.

12           **SECTION 50.** In Colorado Revised Statutes, 25-7.5-103, **amend**  
13   (1)(b) as follows:

14           **25-7.5-103. Clean fleet enterprise - creation - board - powers**  
15   **and duties - fees - fund.** (1) (b) The enterprise ~~exercises its powers and~~  
16   ~~performs its duties and functions under the department as if the same~~  
17   ~~were transferred to the department by a type 1 transfer, as defined in~~  
18   ~~section 24-1-105~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,  
19   AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
20   FUNCTIONS UNDER THE DEPARTMENT.

21           **SECTION 51.** In Colorado Revised Statutes, 25-8-201, **amend**  
22   (1)(a) as follows:

23           **25-8-201. Water quality control commission created.**  
24   (1) (a) There is ~~hereby~~ created in the department of public health and  
25   environment a water quality control commission, which IS A **TYPE 1**  
26   ENTITY, AS DEFINED IN SECTION 24-1-105, AND WHICH shall exercise its  
27   powers and perform its duties and functions ~~as if it were transferred to~~

1 ~~said department by a type 1 transfer~~ UNDER THE DEPARTMENT OF PUBLIC  
2 HEALTH AND ENVIRONMENT. The commission ~~shall consist~~ CONSISTS of  
3 nine citizens of the state ~~who shall be~~ appointed by the governor, with the  
4 consent of the senate, for terms of three years each; except that, of the  
5 members appointed to take office in 1984, one ~~shall be~~ IS appointed for  
6 a one-year term, one ~~shall be~~ IS appointed for a two-year term, and three  
7 ~~shall be~~ ARE appointed for three-year terms. Members of the commission  
8 ~~shall~~ MUST be appointed so as to achieve geographical representation and  
9 to reflect the various interests in water in the state. At least two members  
10 ~~shall~~ MUST reside in that portion of the state ~~which~~ THAT is west of the  
11 continental divide.

12 **SECTION 52.** In Colorado Revised Statutes, 25-9-104, **amend**  
13 (8) as follows:

14 **25-9-104. Duties of board - rules.** (8) The board ~~may~~ IS A **TYPE**  
15 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL exercise its  
16 powers and perform its duties and functions ~~as if it were transferred to~~  
17 UNDER the department. ~~by a type 1 transfer under the "Administrative~~  
18 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

19 **SECTION 53.** In Colorado Revised Statutes, 25-15-302, **amend**  
20 (1)(a) as follows:

21 **25-15-302. Solid and hazardous waste commission - creation**  
22 **- membership - rules - fees - administration - definition.** (1) (a) There  
23 is ~~hereby~~ created in the department of public health and environment a  
24 solid and hazardous waste commission, referred to in this part 3 as the  
25 "commission", which IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
26 24-1-105, AND shall exercise its powers and perform its duties and  
27 functions ~~as if it were transferred to said department by a type 1 transfer~~



1 UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. The  
2 commission ~~shall consist~~ CONSISTS of nine citizens of the state ~~who shall~~  
3 ~~be~~ appointed by the governor, with the consent of the senate, for terms of  
4 three years each; except that, of the members appointed to take office  
5 initially, three ~~shall be~~ ARE appointed for one-year terms, three ~~shall be~~  
6 ARE appointed for two-year terms, and three ~~shall be~~ ARE appointed for  
7 three-year terms. Members of the commission ~~shall~~ MUST be appointed  
8 so as to achieve geographical representation and to reflect the various  
9 interests in waste management in the state.

10 **SECTION 54.** In Colorado Revised Statutes, 25-20.5-103,  
11 **amend** (2) as follows:

12 **25-20.5-103. Prevention services division - creation.** (2) The  
13 division IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall  
14 exercise its powers and perform its duties and functions specified in this  
15 ~~article~~ ARTICLE 20.5 under the department of public health and  
16 environment. ~~as if it were transferred to the department by a type 2~~  
17 ~~transfer as such transfer is defined in the "Administrative Organization~~  
18 ~~Act of 1968", article 1 of title 24, C.R.S.~~

19 **SECTION 55.** In Colorado Revised Statutes, 30-10-601.6,  
20 **amend** (2) as follows:

21 **30-10-601.6. Coroners standards and training board.** (2) The  
22 C.C.S.T. board IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
23 shall exercise its powers and perform its duties and functions under the  
24 department of public health and environment. ~~as if transferred to the~~  
25 ~~department by a type 2 transfer, as such transfer is defined in the~~  
26 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

27 *<{Department of Health Care Policy and Financing}>*

1           **SECTION 56.** In Colorado Revised Statutes, 24-1-119.5, **amend**  
2       (2), (4), (4.5), (5), (8), and (9) as follows:

3           **24-1-119.5. Department of health care policy and financing -**  
4       **creation.** (2) The powers, duties, and functions OF THE DEPARTMENT OF  
5       HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND  
6       FUNCTIONS relating to the "Colorado Medical Assistance Act", as  
7       specified in articles 4, 5, and 6 of title 25.5. ~~C.R.S., are transferred by a~~  
8       **type 2 transfer to the department of health care policy and financing.**

9           (4) The powers, duties, and functions OF THE DEPARTMENT OF  
10       HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND  
11       FUNCTIONS relating to the "Colorado Indigent Care Program", as specified  
12       in part 1 of article 3 of title 25.5. ~~C.R.S., are transferred by a type 2~~  
13       **transfer to the department of health care policy and financing.**

14          (4.5) The powers, duties, and functions OF THE DEPARTMENT OF  
15       HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND  
16       FUNCTIONS relating to the old age pension health and medical care  
17       program, as specified in section 25.5-2-101. ~~C.R.S., are transferred by a~~  
18       **type 2 transfer to the department of health care policy and financing.**

19          (5) The medical services board, created in part 3 of article 1 of  
20       title 25.5, ~~C.R.S., and its powers, duties, and functions are transferred by~~  
21       **a type 1 transfer to in the department of health care policy and financing**  
22       IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
23       EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
24       THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

25          (8) The powers, duties, and functions OF THE DEPARTMENT OF  
26       HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND  
27       FUNCTIONS relating to programs, services, and supports for persons with

1 intellectual and developmental disabilities, as specified in article 10 of  
2 title 25.5. ~~C.R.S., are transferred by a type 2 transfer to the department of~~  
3 ~~health care policy and financing~~ SUCH POWERS, DUTIES, AND FUNCTIONS  
4 ARE ALLOCATED TO THE DIVISION OF INTELLECTUAL AND DEVELOPMENTAL  
5 DISABILITIES, CREATED IN SECTION 25.5-10-203 (2), WHICH DIVISION IS  
6 PART OF THE OFFICE OF COMMUNITY LIVING, CREATED IN SECTION  
7 25.5-10-101. THE OFFICE OF COMMUNITY LIVING AND THE DIVISION OF  
8 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ARE **TYPE 2** ENTITIES,  
9 AS DEFINED IN SECTION 24-1-105.

10 (9) The Colorado healthcare affordability and sustainability  
11 enterprise created in section 25.5-4-402.4 (3) ~~shall exercise its powers and~~  
12 ~~perform its duties and functions as if the same were transferred by a type~~  
13 ~~2 transfer as defined in section 24-1-105, to the department of health care~~  
14 ~~policy and financing~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
15 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
16 FUNCTIONS UNDER THE DEPARTMENT OF HEALTH CARE POLICY AND  
17 FINANCING.

18 **SECTION 57.** In Colorado Revised Statutes, 25.5-1-301, **add** (5)  
19 as follows:

20 **25.5-1-301. Medical services board - creation.** (5) THE BOARD  
21 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

22 **SECTION 58.** In Colorado Revised Statutes, 25.5-4-402.4,  
23 **amend** (3)(e) and (7)(a)(II) as follows:

24 **25.5-4-402.4. Hospitals - healthcare affordability and**  
25 **sustainability fee - legislative declaration - Colorado healthcare**  
26 **affordability and sustainability enterprise - federal waiver - fund**  
27 **created - rules - reports - repeal.** (3) **Colorado healthcare**

1 **affordability and sustainability enterprise.** (e) The enterprise shall  
2 ~~exercise its powers and perform its duties as if the same were transferred~~  
3 ~~to the state department by a **type 2** transfer, as defined in section~~  
4 ~~24-1-105.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
5 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
6 UNDER THE DEPARTMENT.

7 (7) **Colorado healthcare affordability and sustainability**  
8 **enterprise board.** (a) (II) The initial members of the enterprise board are  
9 the members of the hospital provider fee oversight and advisory board  
10 that was created and existed pursuant to section 25.5-4-402.3 (6), prior to  
11 July 1, 2017, and such members shall serve on and after July 1, 2017, for  
12 the remainder of the terms for which they were appointed as members of  
13 the advisory board. The powers, duties, and functions of the ENTERPRISE  
14 BOARD INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE FORMER  
15 hospital provider fee oversight and advisory board, ~~are transferred by a~~  
16 ~~**type 3** transfer, as defined in section 24-1-105, to the enterprise,~~ and the  
17 hospital provider fee oversight and advisory board is abolished.

18 **SECTION 59.** In Colorado Revised Statutes, 25.5-10-101,  
19 **amend** (1) and (2)(a) as follows:

20 **25.5-10-101. Office of community living - creation - transfer**  
21 **of duties and functions - rules - legislative declaration.** (1) There is  
22 ~~hereby~~ created in the state department the office of community living,  
23 referred to in this ~~article~~ ARTICLE 10 as the "office". THE OFFICE IS A **TYPE**  
24 **2** ENTITY, AS DEFINED IN SECTION 24-1-105. The head of the office is the  
25 director of community living appointed by the executive director in  
26 accordance with section 13 of article XII of the state constitution. The  
27 director of community living reports directly to the executive director.

1           (2) (a) On and after March 1, 2014, the powers, duties, and  
2 functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING  
3 INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the programs,  
4 services, and supports contained in this ~~article are transferred from~~  
5 ARTICLE 10 THAT WERE FORMERLY VESTED IN the department of human  
6 services. ~~to the department of health care policy and financing by a type~~  
7 ~~2 transfer as such transfer is defined in the "Administrative Organization~~  
8 ~~Act of 1968", article 1 of title 24, C.R.S. and~~ SUCH POWERS, DUTIES, AND  
9 FUNCTIONS ARE allocated to the division of intellectual and developmental  
10 disabilities of the office, which division is created in part 2 of this ~~article~~  
11 ARTICLE 10.

12           **SECTION 60.** In Colorado Revised Statutes, 25.5-10-203,  
13 **amend** (2) as follows:

14           **25.5-10-203. Division of intellectual and developmental**  
15 **disabilities - creation - functions - reporting - legislative declaration.**

16           (2) There is ~~hereby created within~~ IN the office the division of intellectual  
17 and developmental disabilities. THE DIVISION IS A **TYPE 2** ENTITY, AS  
18 DEFINED IN SECTION 24-1-105.

19           <***Department of human services***>

20           **SECTION 61.** In Colorado Revised Statutes, 24-1-120, **amend**  
21 (2), (3), (4) introductory portion, (4)(a), (5) introductory portion, (5)(a),  
22 (5)(b), (5)(c), (5)(e), (5)(f), (5)(g), (5)(h), (5)(k), (6) introductory portion,  
23 (6)(c), (6)(d), (6)(e), (7) introductory portion, (8), (9), (10), (11), and (12);  
24 and **repeal** (5)(d) and (5)(i) as follows:

25           **24-1-120. Department of human services - creation.** (2) Except  
26 as otherwise provided in title 26, ~~C.R.S.~~, THE POWERS, DUTIES, AND  
27 FUNCTIONS OF THE DEPARTMENT OF HUMAN SERVICES INCLUDE the

1 powers, duties, and functions of the FORMER department of social services  
2 and the FORMER department of institutions, ~~are transferred by a type 3~~  
3 ~~transfer to the department of human services~~, and the department of social  
4 services and the department of institutions are abolished.

5 (3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
6 HUMAN SERVICES INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE  
7 FORMER state board of social services, created ~~by~~ IN article 1 of title 26,  
8 ~~C.R.S., and its powers, duties, and functions are transferred by a type 1~~  
9 ~~transfer to the department of human services~~ WHICH IS RENAMED as the  
10 state board of human services. THE STATE BOARD OF HUMAN SERVICES IS  
11 A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

12 (4) Unless otherwise transferred to the department of health care  
13 policy and financing or the department of public health and environment,  
14 the department of human services shall exercise the following powers and  
15 perform the following duties AND FUNCTIONS:

16 (a) THE powers, duties, and functions relating to public assistance  
17 and welfare; ~~which are transferred by a type 2 transfer to the department~~  
18 ~~of human services~~;

19 (5) The department of human services ~~shall include~~ INCLUDES the  
20 following:

21 (a) The Colorado commission on the aging, CREATED PURSUANT  
22 TO SECTION 26-11-101, and the office of the director ~~thereof. Said office~~  
23 ~~and director and their powers, duties, and functions are transferred by a~~  
24 ~~type 2 transfer to the department of human services~~ OF THE COMMISSION,  
25 CREATED PURSUANT TO SECTION 26-11-104, WHICH ARE **TYPE 2** ENTITIES,  
26 AS DEFINED IN SECTION 24-1-105, AND WHICH SHALL EXERCISE THEIR  
27 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE

1 DEPARTMENT OF HUMAN SERVICES.

2 (b) The Colorado veterans community living center at Homelake,  
3 CREATED PURSUANT TO SECTION 26-12-203, which is ~~transferred by a~~  
4 ~~type 2 transfer to the department of human services~~ A **TYPE 2** ENTITY, AS  
5 DEFINED IN SECTION 24-1-105.

6 (c) The Colorado veterans community living centers, created by  
7 in part 2 of article 12 of title 26, C.R.S., which are ~~transferred by a type~~  
8 ~~2 transfer to the department of human services~~ WHICH ARE **TYPE 2**  
9 ENTITIES, AS DEFINED IN SECTION 24-1-105.

10 (d) ~~The merit system council, created by article 1 of title 26,~~  
11 ~~C.R.S. Said council and its powers, duties, and functions are transferred~~  
12 ~~by a type 2 transfer to the department of human services.~~

13 (e) The powers, duties, and functions regarding the state  
14 information agency ~~under~~ PURSUANT TO the "Uniform Interstate Family  
15 Support Act", created by IN article 5 of title 14. C.R.S. ~~Said powers,~~  
16 ~~duties, and functions are transferred by a type 2 transfer to the department~~  
17 ~~of human services;~~

18 (f) The state office on aging, created by IN part 2 of article 11 of  
19 title 26. C.R.S. ~~Said state office and its powers, duties, and functions are~~  
20 ~~transferred by a type 2 transfer to the department of human services~~ THE  
21 STATE OFFICE ON AGING IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
22 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
23 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

24 (g) The adoption intermediary commission, created by IN part 3  
25 of article 5 of title 19. C.R.S. ~~Said commission and its powers, duties, and~~  
26 ~~functions are transferred by a type 1 transfer to the department of human~~  
27 ~~services~~ THE ADOPTION INTERMEDIARY COMMISSION IS A **TYPE 1** ENTITY,

1 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
2 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN  
3 SERVICES.

4 (h) The Colorado commission for the deaf, hard of hearing, and  
5 deafblind, created ~~by~~ IN article 21 of title 26. ~~The commission shall~~  
6 ~~exercise its powers, duties, and functions under the department as if~~  
7 ~~transferred by a type 2 transfer~~ THE COLORADO COMMISSION FOR THE  
8 DEAF, HARD OF HEARING, AND DEAFBLIND IS A **TYPE 2** ENTITY, AS DEFINED  
9 IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
10 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

11 (i) ~~The office of homeless youth services, created in section~~  
12 ~~24-32-723. Said office and its powers, duties, and functions are~~  
13 ~~transferred by a type 2 transfer to the department of human services.~~

14 (k) The board of commissioners of veterans community living  
15 centers, created in section 26-12-402. ~~C.R.S. Said board and its powers,~~  
16 ~~duties, and functions are transferred by a type 2 transfer to the department~~  
17 ~~of human services~~ THE BOARD OF COMMISSIONERS OF VETERANS  
18 COMMUNITY LIVING CENTERS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
19 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
20 FUNCTIONS UNDER THE DEPARTMENT.

21 (6) The department consists of the following divisions, units, ~~and~~  
22 offices, AND BOARDS:

23 (c) The juvenile parole board, created pursuant to section  
24 19-2.5-1201. ~~The juvenile parole board and its powers, duties, and~~  
25 ~~functions are transferred by a type 1 transfer to the department of human~~  
26 ~~services as a division.~~ THE JUVENILE PAROLE BOARD IS A **TYPE 1** ENTITY,  
27 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND



1 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN  
2 SERVICES AS A DIVISION THEREOF.

3 (d) The office of behavioral health in the department of human  
4 services, created pursuant to article 80 of title 27. THE OFFICE OF  
5 BEHAVIORAL HEALTH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
6 24-1-105. The POWERS, DUTIES, AND FUNCTIONS OF THE office of  
7 behavioral health ~~and its powers, duties, and functions, including~~  
8 INCLUDE the powers, duties, and functions relating to the alcohol and drug  
9 driving safety program specified in section 42-4-1301.3. ~~are transferred~~  
10 ~~by a type 2 transfer to the department of human services.~~

11 (e) The division of youth services, created pursuant to section  
12 19-2.5-1501, ~~The division of youth services and the office of the director~~  
13 ~~of the division of youth services and their powers, duties, and functions~~  
14 ~~are transferred by a type 2 transfer to the department of human services~~  
15 ~~as a division.~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
16 SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
17 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

18 (7) The department of human services shall supervise and control  
19 the following institutions, ~~which are transferred by a type 2 transfer to the~~  
20 ~~department of human services~~ ALL OF WHICH ARE **TYPE 2** ENTITIES, AS  
21 DEFINED IN SECTION 24-1-105:

22 (8) The ~~state council on~~ COLORADO developmental disabilities  
23 COUNCIL, created ~~by~~ IN part 2 of article 10.5 of title 27, C.R.S., ~~and its~~  
24 ~~powers, duties, and functions are transferred by a type 1 transfer to the~~  
25 ~~department of human services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
26 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
27 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

1           (9) ~~The powers, duties, and functions of The Colorado brain~~  
2 ~~injury trust fund board, created in section 26-1-302, C.R.S., are~~  
3 ~~transferred by a type 2 transfer to the department of human services~~ IS A  
4 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
5 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
6 DEPARTMENT OF HUMAN SERVICES.

7           (10) ~~The powers, duties, and functions of the Colorado child~~  
8 ~~abuse prevention board, created in section 19-3.5-103, are transferred by~~  
9 ~~a type 2 transfer to the department of human services.~~ IS A **TYPE 2** ENTITY,  
10 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
11 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN  
12 SERVICES.

13           (11) ~~The powers, duties, and functions of The Tony Grampas~~  
14 ~~youth services board, created in section 26-6.8-103, C.R.S., are~~  
15 ~~transferred by a type 2 transfer to the department of human services~~ IS A  
16 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
17 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
18 DEPARTMENT OF HUMAN SERVICES.

19           (12) The office of the ombudsman for behavioral health access to  
20 care, created in section 27-80-303, ~~shall exercise its powers and perform~~  
21 ~~its duties and functions as if the office were transferred by a type 1~~  
22 ~~transfer, as defined in section 24-1-105, to the department of human~~  
23 ~~services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
24 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
25 THE DEPARTMENT OF HUMAN SERVICES.

26           **SECTION 62.** In Colorado Revised Statutes, 19-2.5-1201,  
27 **amend** (1) as follows:

1           **19-2.5-1201. Juvenile parole board - creation - membership -**  
2   **authority - rules.** (1) There is created a juvenile parole board, referred  
3   to in this part 12 as the "board". The board consists of nine members  
4   appointed by the governor and confirmed by the senate. Any vacancy that  
5   occurs when the general assembly is not in session may be filled by the  
6   governor, and such member serves temporarily until confirmed at the next  
7   regular session of the general assembly. THE BOARD IS A **TYPE 1** ENTITY,  
8   AS DEFINED IN SECTION 24-1-105.

9           **SECTION 63.** In Colorado Revised Statutes, 19-2.5-1501,  
10   **amend** (1) as follows:

11           **19-2.5-1501. Division of youth services - created - interagency**  
12   **agreements - duties of administrators of facilities in connection with**  
13   **voter registration and casting of ballots - reports - definitions.**  
14   (1) (a) There is created within the department of human services the  
15   division of youth services, referred to within this section as the "division",  
16   the head of which is the director of the division. The executive director  
17   of the department of human services shall appoint the director of the  
18   division pursuant to section 13 of article XII of the state constitution and  
19   the laws and rules governing the state personnel system. The director IS  
20   A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, WHO shall exercise  
21   THE DIRECTOR'S powers and perform THE DIRECTOR'S duties and functions  
22   within the office of the executive director of the department of human  
23   services in accordance with ~~the provisions of this article 2.5. and as if~~  
24   ~~transferred by a type 2 transfer as such transfer is defined in the~~  
25   ~~"Administrative Organization Act of 1968", article 1 of title 24.~~

26           **SECTION 64.** In Colorado Revised Statutes, 19-3.5-103, **amend**  
27   (1) as follows:

1           **19-3.5-103. Colorado child abuse prevention board - creation**  
2   **- members - terms - vacancies.** (1) The Colorado child abuse prevention  
3   board, referred to in this article 3.5 as the "board", is transferred to the  
4   department of human services from the department of public health and  
5   environment. The board ~~shall exercise its powers and duties as if~~  
6   ~~transferred by a type 2 transfer.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN  
7   SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
8   DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.  
9   Persons appointed to the board continue serving until completion of their  
10   terms and may be reappointed as provided in this section.

11           **SECTION 65.** In Colorado Revised Statutes, 19-5-303, **amend**  
12   (1) introductory portion as follows:

13           **19-5-303. Commission created - duties.** (1) There is ~~hereby~~  
14   created in the department the adoption intermediary commission, referred  
15   to in this section as the "commission", ~~that shall consist~~ WHICH CONSISTS  
16   of thirteen members. The commission IS A **TYPE 1** ENTITY, AS DEFINED IN  
17   SECTION 24-1-105, AND shall exercise its powers and perform the duties  
18   and functions specified by this part 3 ~~as if the same were transferred to~~  
19   UNDER the department. ~~by a type 1 transfer, as such transfer is defined in~~  
20   ~~article 1 of title 24, C.R.S. Representation and appointment of such~~  
21   ~~members shall be as follows:~~

22           **SECTION 66.** In Colorado Revised Statutes, 26-1-107, **amend**  
23   (1)(a) as follows:

24           **26-1-107. State board of human services - rules.** (1) (a) There  
25   is created IN THE DEPARTMENT OF HUMAN SERVICES the state board of  
26   human services, referred to in this section as the "state board". THE STATE  
27   BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The state

1 board consists of nine members appointed by the governor, with the  
2 consent of the senate, for terms of four years. ~~each~~. In making  
3 appointments to the board, the governor shall include representation by  
4 at least one member who is a person with a disability, as defined in  
5 section 24-34-301 (2.5), a family member of a person with a disability, or  
6 a member of an advocacy group for persons with disabilities.

7 **SECTION 67.** In Colorado Revised Statutes, 26-1-302, **amend**  
8 (1) as follows:

9 **26-1-302. Colorado brain injury trust fund board - creation**  
10 **- powers and duties.** (1) There is ~~hereby~~ created the Colorado brain  
11 injury trust fund board ~~within~~ IN the state department of human services.  
12 ~~The board shall exercise its powers and duties as if transferred by a type~~  
13 ~~2 transfer~~ THE BRAIN INJURY TRUST FUND BOARD IS A **TYPE 2** ENTITY, AS  
14 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
15 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

16 **SECTION 68.** In Colorado Revised Statutes, 26-6.8-103, **amend**  
17 (1)(a) as follows:

18 **26-6.8-103. Tony Grampsas youth services board - members**  
19 **- duties.** (1) (a) There is ~~hereby~~ created the Tony Grampsas youth  
20 services board, ~~consisting~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN  
21 SECTION 24-1-105. THE BOARD CONSISTS of four adult members appointed  
22 by the governor, two youth members appointed by the governor, three  
23 adult members appointed by the speaker of the house of representatives,  
24 two adult members appointed by the president of the senate, and one adult  
25 member appointed by the minority leader of the senate. For the initial  
26 appointments, the governor shall appoint members to the board after the  
27 speaker of the house of representatives and the president and the minority

1 leader of the senate have made appointments. No more than seven of the  
2 members appointed to the board shall be members of the same political  
3 party.

4 **SECTION 69.** In Colorado Revised Statutes, 26-11-101, **amend**  
5 (1) as follows:

6 **26-11-101. Commission on the aging created.** (1) There is  
7 ~~hereby~~ created in the state department the Colorado commission on the  
8 aging, referred to in this ~~article~~ ARTICLE 11 as the "commission". ~~which~~  
9 ~~shall consist~~ THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
10 24-1-105, AND CONSISTS of seventeen members appointed by the  
11 governor, with the consent of the senate. Two members ~~shall~~ MUST be  
12 appointed from each congressional district of the state, one of whom ~~shall~~  
13 MUST be from each major political party, and, after July 1, 1976, and  
14 thereafter when a vacancy occurs, one of ~~such~~ THE members ~~shall~~ MUST  
15 be from west of the continental divide. A vacancy on the commission  
16 occurs whenever any member moves out of the congressional district  
17 from which ~~he or she~~ THE MEMBER was appointed. Any member who  
18 moves out of ~~such~~ THE congressional district shall promptly notify the  
19 governor of the date of such move, but ~~such~~ notice is not a condition  
20 precedent to the occurrence of the vacancy. The governor shall fill the  
21 vacancy as provided in subsection (2) of this section. Appointments made  
22 to take effect on January 1, 1983, ~~shall~~ MUST be made in accordance with  
23 section 24-1-135. ~~C.R.S.~~ No more than nine members of the commission  
24 ~~shall~~ MAY be members of the same major political party. One member  
25 ~~shall~~ MUST be appointed from the state at large, one member ~~shall~~ MUST  
26 be appointed from among the membership of the senate, and one member  
27 ~~shall~~ MUST be appointed from among the membership of the house of

1 representatives. Appointments to the commission ~~shall~~ MUST comply with  
2 the requirements of the rules and regulations of the United States  
3 department of health and human services promulgated pursuant to Public  
4 Law 93-29, known as the "Older Americans Comprehensive Services  
5 Amendments of 1973", as such rules and regulations appear in section  
6 903.50 (c) of title 45 of the code of federal regulations. In making  
7 appointments to the commission, the governor is encouraged to include  
8 representation by at least one member who is a person with a disability,  
9 a family member of a person with a disability, or a member of an  
10 advocacy group for persons with disabilities, provided that the other  
11 requirements of this subsection (1) are met.

12 **SECTION 70.** In Colorado Revised Statutes, **amend** 26-11-202  
13 as follows:

14 **26-11-202. State office on aging.** The executive director shall  
15 create ~~within~~ IN the state department a state office on aging, the head of  
16 which ~~shall be~~ IS the director of the state office, who ~~shall be~~ IS appointed  
17 by the executive director. The state office and the director of the state  
18 office ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall  
19 exercise their powers and perform their duties and functions under the  
20 state department. ~~as if the same were transferred to the state department~~  
21 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~  
22 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

23 **SECTION 71.** In Colorado Revised Statutes, 26-12-201, **amend**  
24 (2)(a) as follows:

25 **26-12-201. Veterans community living centers authorized.**  
26 (2) (a) Subject to available appropriations, there is ~~hereby~~ authorized the  
27 establishment and construction of veterans centers for veterans of service

1 in the armed forces of the United States and their spouses, surviving  
2 spouses, or dependent parents. Each ~~such~~ veterans center ~~shall be~~ is  
3 known as a Colorado veterans community living center, collectively  
4 referred to in this ~~article~~ ARTICLE 12 as "veterans centers". THE VETERANS  
5 CENTERS ARE **TYPE 2** ENTITIES, AS DEFINED BY SECTION 24-1-105.

6 **SECTION 72.** In Colorado Revised Statutes, 26-12-203, **amend**  
7 (1)(a) as follows:

8 **26-12-203. The Colorado veterans community living center at**  
9 **Homelake - jurisdiction - definitions.** (1) (a) The Colorado veterans  
10 community living center at Homelake, consisting of a veterans center, a  
11 domiciliary care unit, and the Homelake military veterans cemetery,  
12 referred to in this part 2 as the "veterans center", ~~as transferred to the state~~  
13 ~~department by the "Administrative Organization Act of 1968", is hereby~~  
14 IS declared to be a veterans center for veterans of service in the armed  
15 forces of the United States and their spouses, surviving spouses, and  
16 dependent parents. THE COLORADO VETERANS COMMUNITY LIVING  
17 CENTER AT HOMELAKE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
18 24-1-105.

19 **SECTION 73.** In Colorado Revised Statutes, 26-12-402, **amend**  
20 (1) as follows:

21 **26-12-402. Board of commissioners of veterans community**  
22 **living centers - creation - powers and duties.** (1) There is ~~hereby~~  
23 created the board of commissioners of veterans community living centers  
24 ~~within~~ IN the state department. The board of commissioners ~~shall exercise~~  
25 ~~its powers, duties, and functions under the state department as if it were~~  
26 ~~transferred to the state department by a type 2 transfer under the~~  
27 ~~provisions of the "Administrative Organization Act of 1968", article 1 of~~



1 ~~title 24, C.R.S.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
2 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
3 UNDER THE STATE DEPARTMENT.

4 **SECTION 74.** In Colorado Revised Statutes, 26-21-104, **amend**  
5 (1) as follows:

6 **26-21-104. Commission created - appointments.** (1) The  
7 Colorado commission for the deaf, hard of hearing, and deafblind is  
8 created in the department of human services. The commission ~~shall~~  
9 ~~exercise its powers, duties, and functions under the department of human~~  
10 ~~services as if it were transferred to the department by a type 2 transfer~~  
11 ~~under the provisions of the "Administrative Organization Act of 1968",~~  
12 ~~article 1 of title 24~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,  
13 AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
14 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

15 **SECTION 75.** In Colorado Revised Statutes, 27-10.5-203,  
16 **amend** (1) as follows:

17 **27-10.5-203. Establishment of state council.** (1) There is ~~hereby~~  
18 ~~created within~~ IN the office of the executive director of the department of  
19 human services, the Colorado developmental disabilities council. ~~The~~  
20 ~~powers, duties, and functions of the state council are transferred by a type~~  
21 ~~1 transfer, as such transfer is defined by the "Administrative Organization~~  
22 ~~Act of 1968", article 1 of title 24, C.R.S., to the department of human~~  
23 ~~services~~ THE STATE COUNCIL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
24 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
25 FUNCTIONS UNDER THE DEPARTMENT. The state council shall operate in  
26 accordance with the federal "Developmental Disabilities Assistance and  
27 Bill of Rights Act of 2000", 42 U.S.C. sec. 15001 et seq.

1           **SECTION 76.** In Colorado Revised Statutes, 27-80-102, **amend**  
2       (1) introductory portion as follows:

3           **27-80-102. Duties of the office of behavioral health.** (1) The  
4       office of behavioral health IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
5       24-1-105, AND IS RESPONSIBLE FOR THE POWERS, DUTIES, AND FUNCTIONS  
6       RELATING TO THE ALCOHOL AND DRUG DRIVING SAFETY PROGRAM  
7       SPECIFIED IN SECTION 42-4-1301.3. THE OFFICE OF BEHAVIORAL HEALTH  
8       shall formulate a comprehensive state plan for substance use disorder  
9       treatment programs. The office of behavioral health shall submit the state  
10      plan to the governor and, upon ~~his or her~~ THE GOVERNOR'S approval,  
11      submit it to the appropriate United States agency for review and approval.  
12      The state plan must include, but not be limited to:

13           **SECTION 77.** In Colorado Revised Statutes, 27-80-303, **amend**  
14      (1)(a) as follows:

15           **27-80-303. Office of ombudsman for behavioral health access**  
16      **to care - creation - appointment of ombudsman - duties.** (1) (a) There  
17      is ~~hereby~~ created in the office of the executive director the office of the  
18      ombudsman for behavioral health access to care for the purpose of  
19      assisting Coloradans in accessing behavioral health care. THE OFFICE OF  
20      THE OMBUDSMAN FOR BEHAVIORAL HEALTH ACCESS TO CARE IS A **TYPE 1**  
21      ENTITY, AS DEFINED IN SECTION 24-1-105.

22      <{*Department of Early Childhood*}>

23           **SECTION 78.** In Colorado Revised Statutes, 24-1-120.5, **amend**  
24      **as it will become effective July 1, 2022,** (2) as follows:

25           **24-1-120.5. Department of early childhood - creation.** (2) The  
26      early childhood leadership commission created in part 3 of article 1 of  
27      title 26.5 ~~and its powers, duties, and functions are transferred by a type~~

1 ~~2-transfer~~ IS TRANSFERRED to the department of early childhood. THE  
2 EARLY CHILDHOOD LEADERSHIP COMMISSION IS A **TYPE 2** ENTITY, AS  
3 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
4 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EARLY  
5 CHILDHOOD.

6 **SECTION 79.** In Colorado Revised Statutes, 26.5-1-302, **amend**  
7 **as it will become effective on July 1, 2022**, (1) as follows:

8 **26.5-1-302. Early childhood leadership commission - created**  
9 **- mission - funding.** (1) There is created in the department the early  
10 childhood leadership commission, referred to in this part 3 as the  
11 "commission". THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN  
12 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
13 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EARLY CHILDHOOD.  
14 The purpose of the commission is to ensure and advance a comprehensive  
15 service delivery system for pregnant women and children from birth to  
16 eight years of age using data to improve decision-making, alignment, and  
17 coordination among federally funded and state-funded services and  
18 programs for pregnant women and young children and their families. At  
19 a minimum, the comprehensive service delivery system for pregnant  
20 women and children and their families must include services in the areas  
21 of prenatal health, child health, child mental health, early care and  
22 education, and family support and parent education.

23 *<{Department of Labor and Employment}>*

24 **SECTION 80.** In Colorado Revised Statutes, 24-1-121, **amend**  
25 (1.5), (3)(a)(I), (3)(b), (3)(d)(I), (3)(e), (3)(f), (3)(g), (3)(h), (3)(i), (3)(j),  
26 (3)(k), (3)(l), (4) introductory portion, (4)(b), and (5); and **add** (6) and (7)  
27 as follows:

1           **24-1-121. Department of labor and employment - creation.**

2       (1.5) The department of labor and employment ~~shall include~~ INCLUDES,  
3       as part of the office of the executive director, the industrial claim appeals  
4       office, created ~~by~~ IN section 8-1-102. ~~C.R.S. Said~~ THE industrial claim  
5       appeals office ~~shall exercise its powers and perform its duties and~~  
6       ~~functions under the department as if transferred thereto by a type 2~~  
7       ~~transfer~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
8       EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
9       THE DEPARTMENT.

10           (3) The department of labor and employment consists of the  
11       following divisions and programs:

12           (a) (I) The division of labor standards and statistics, the head of  
13       which is the director of the division of labor standards and statistics,  
14       ~~which division and office are hereby~~ created IN SECTION 8-1-103. The  
15       division and the DIVISION'S director ARE **TYPE 2** ENTITIES, AS DEFINED IN  
16       SECTION 24-1-105, AND shall exercise their powers and perform their  
17       duties and functions specified by law under the department of labor and  
18       employment. ~~as if they were transferred to the department by a type 2~~  
19       ~~transfer.~~

20           (b) The division of employment and training, the head of which  
21       is the director of the division of employment and training, CREATED IN  
22       SECTION 8-83-102. The division ~~created by article 83 of title 8, C.R.S.,~~  
23       and the DIVISION'S director ~~of the division shall exercise their powers,~~  
24       ~~duties, and functions under the department of labor and employment as~~  
25       ~~if transferred by a type 2 transfer~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN  
26       SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
27       THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND

1 EMPLOYMENT.

2 (d) (I) The division of workers' compensation, the head of which  
3 ~~shall be~~ IS the director of the division of workers' compensation, ~~Said~~  
4 ~~division, created by~~ IN section 8-47-101. ~~€R.S., and the director thereof,~~  
5 ~~shall exercise their powers, duties, and functions under the department of~~  
6 ~~labor and employment as if transferred thereto by a type 2 transfer~~ THE  
7 DIVISION AND THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED  
8 IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
9 THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND  
10 EMPLOYMENT.

11 (e) The division of oil and public safety, the head of which ~~shall~~  
12 ~~be~~ IS the director of the division of oil and public safety, which division  
13 and office are created pursuant to section 8-20-101. ~~€R.S.~~ The division  
14 and the DIVISION'S director ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
15 24-1-105, AND shall exercise their powers and perform their duties and  
16 functions specified by law under the department of labor and  
17 employment. ~~as if the same were transferred to the department by a type~~  
18 ~~2 transfer.~~

19 (f) The state work force development council, created ~~by~~ IN article  
20 46.3 of this ~~title, which~~ TITLE 24. THE COUNCIL IS A **TYPE 2** ENTITY, AS  
21 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
22 its duties and functions under the department of labor and employment.  
23 ~~as if the same were transferred to the department by a type 2 transfer.~~

24 (g) The division of unemployment insurance, the head of which  
25 is the director of the division of unemployment insurance, ~~The division,~~  
26 created in article 71 of title 8. ~~€R.S., and the director of the division shall~~  
27 ~~exercise their powers, duties, and functions under the department of labor~~

1 ~~and employment as if transferred by a type 2 transfer~~ THE DIVISION AND  
2 THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
3 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
4 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND  
5 EMPLOYMENT.

6 (h) The powers, duties, and functions relating to vocational  
7 rehabilitation programs, including the business enterprise program, ~~which~~  
8 ~~are transferred by a type 2 transfer to the department of labor and~~  
9 ~~employment~~ AS DESCRIBED IN ARTICLE 84 OF TITLE 8.

10 (i) The powers, duties, and functions relating to the oversight of  
11 independent living services pursuant to article 85 of title 8. ~~C.R.S., are~~  
12 ~~transferred by a type 2 transfer.~~

13 (j) The underground damage prevention safety commission,  
14 created by IN section 9-1.5-104.2. The commission ~~and its powers, duties,~~  
15 ~~and functions are transferred by a type 2 transfer to the department of~~  
16 ~~labor and employment~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
18 FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

19 (k) The office of new Americans, or "ONA", created in article 3.7  
20 of title 8, the head of which is the director of the ONA. The ONA and the  
21 director ~~shall exercise their powers, duties, and functions under the~~  
22 ~~department of labor and employment as if transferred by a type 1 transfer~~  
23 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
24 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
25 UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

26 (l) The state apprenticeship agency created in section 8-15.7-102.  
27 ~~which~~ THE STATE APPRENTICESHIP AGENCY IS A **TYPE 1** ENTITY, AS

1 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
2 the duties and functions specified by article 15.7 of title 8 under the  
3 department of labor and employment and the executive director of the  
4 department. ~~as if the same were transferred to the department by a type~~  
5 ~~1 transfer.~~

6 (4) The division of oil and public safety ~~shall include~~ INCLUDES  
7 the following:

8 (b) The division of boiler inspection, created ~~by~~ IN article 4 of title  
9 ~~9. C.R.S. Said division and its powers, duties, and functions are~~  
10 ~~transferred by a type 2 transfer to the department of labor and~~  
11 ~~employment, and allocated to the division of oil and public safety as a~~  
12 ~~section thereof~~ THE DIVISION OF BOILER INSPECTION IS A **TYPE 2** ENTITY,  
13 AS DEFINED IN SECTION 24-1-105. THE DIVISION SHALL EXERCISE ITS  
14 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
15 DEPARTMENT OF LABOR AND EMPLOYMENT AND IS ALLOCATED TO THE  
16 DIVISION OF OIL AND PUBLIC SAFETY AS A SECTION THEREOF.

17 (5) The petroleum storage tank committee IS A **TYPE 1** ENTITY, AS  
18 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
19 the duties and functions specified by article 20.5 of title 8 ~~C.R.S.~~, under  
20 the department of labor and employment and the executive director  
21 thereof. ~~as if the same were transferred to the department by a type 1~~  
22 ~~transfer.~~

23 (6) THE SPECIAL FUNDS BOARD, CREATED IN SECTION 8-44-206, IS  
24 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

25 (7) THE WORKERS' COMPENSATION COST CONTAINMENT BOARD,  
26 CREATED IN THE DIVISION OF WORKERS' COMPENSATION IN SECTION  
27 8-14.5-104, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

1           **SECTION 81.** In Colorado Revised Statutes, 8-1-102, **amend** (1)  
2 as follows:

3           **8-1-102. Industrial claim appeals office - creation - powers and**  
4 **duties.** (1) There is ~~hereby~~ created in the office of the executive director  
5 of the department of labor and employment the industrial claim appeals  
6 office, which ~~may consist~~ CONSISTS of five industrial claim appeals  
7 examiners who ~~shall be~~ ARE appointed to serve on the industrial claim  
8 appeals panel by the executive director pursuant to section 13 of article  
9 XII of the state constitution and the laws and rules governing the state  
10 personnel system. ~~Each industrial claim appeals examiner shall exercise~~  
11 ~~such examiner's powers and perform such examiner's duties and functions~~  
12 ~~in the industrial claim appeals office within the office of the executive~~  
13 ~~director of the department as if transferred thereto by a type 2 transfer as~~  
14 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~  
15 ~~article 1 of title 24, C.R.S.~~ THE INDUSTRIAL CLAIM APPEALS OFFICE IS A  
16 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
17 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE OFFICE  
18 OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. Decisions and orders  
19 of the industrial claim appeals panel may be made by two appeals  
20 examiners. In the event of a disagreement between ~~such~~ THE two appeals  
21 examiners, a third appeals examiner shall review the case, and the  
22 decision and final order of the appeals panel shall reflect the collective  
23 decision of all three appeals examiners.

24           **SECTION 82.** In Colorado Revised Statutes, 8-1-103, **amend** (3)  
25 as follows:

26           **8-1-103. Division of labor standards and statistics - director -**  
27 **employees - qualifications - compensation - expenses.** (3) The



1 DIRECTOR SHALL EXERCISE THE DIRECTOR'S powers AND PERFORM THE  
2 DIRECTOR'S duties and functions ~~of the director~~ AS prescribed under this  
3 ~~article~~ ARTICLE 1, including rule-making, ~~regulation~~, licensing,  
4 promulgation of rules, rates, ~~regulations~~, and standards, and the rendering  
5 of findings, orders, and adjudications, ~~shall be performed~~ under the  
6 direction and supervision of the executive director of the department of  
7 labor and employment. ~~as prescribed by section 24-1-105 (4), C.R.S.~~ THE  
8 DIRECTOR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

9 **SECTION 83.** In Colorado Revised Statutes, 8-3.7-103, **amend**  
10 (1)(a) as follows:

11 **8-3.7-103. Colorado office of new Americans - creation - duties**  
12 **- report.** (1) (a) There is hereby created, initially in the department of  
13 labor and employment, the Colorado office of new Americans, the head  
14 of which shall be the director of the Colorado office of new Americans,  
15 who shall be appointed by the executive director of the department. THE  
16 COLORADO OFFICE OF NEW AMERICANS AND THE DIRECTOR OF THE OFFICE  
17 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
18 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
19 UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT. The director of  
20 the ONA has regular access to the office of the governor and has the  
21 power to convene other state agencies.

22 **SECTION 84.** In Colorado Revised Statutes, 8-14.5-104, **amend**  
23 (2) as follows:

24 **8-14.5-104. Creation of board.** (2) The board IS A **TYPE 2**  
25 ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
26 and perform its DUTIES AND functions under the department and the  
27 director of the division. ~~as if the same were transferred to the department~~

1 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~  
2 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

3 **SECTION 85.** In Colorado Revised Statutes, 8-15.7-102, **amend**  
4 (2) as follows:

5 **8-15.7-102. State apprenticeship agency - created - director -**  
6 **powers and duties - rules.** (2) The SAA IS A **TYPE 1** ENTITY, AS DEFINED  
7 IN SECTION 24-1-105, AND shall exercise its powers and perform its duties  
8 and functions under the department. ~~as if it were transferred to the~~  
9 ~~department by a type 1 transfer, as described in section 24-1-105.~~

10 **SECTION 86.** In Colorado Revised Statutes, 8-20-101, **amend**  
11 (1) as follows:

12 **8-20-101. Division of oil and public safety - creation -**  
13 **appointment of director - transfer of duties.** (1) There is hereby  
14 created ~~within~~ IN the department of labor and employment the division of  
15 oil and public safety, the head of which ~~shall be~~ IS the director of the  
16 division of oil and public safety. The director of the division of oil and  
17 public safety ~~shall be~~ IS appointed by the executive director of the  
18 department of labor and employment and shall not have an interest in the  
19 manufacture, sale, or distribution of oils. THE DIVISION AND THE  
20 DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
21 24-1-105.

22 **SECTION 87.** In Colorado Revised Statutes, 8-20.5-104, **amend**  
23 (9) as follows:

24 **8-20.5-104. Rules - petroleum storage tank committee.** (9) The  
25 petroleum storage tank committee IS A **TYPE 1** ENTITY AS DEFINED IN  
26 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
27 and functions specified by this section under the department of labor and

1 employment and the executive director. ~~thereof as if the same were~~  
2 ~~transferred to the department by a type 1 transfer, as such transfer is~~  
3 ~~defined in section 24-1-105, C.R.S.~~

4 **SECTION 88.** In Colorado Revised Statutes, 8-44-206, **amend**  
5 (2)(a) as follows:

6 **8-44-206. Guaranty fund - immediate payment fund - special**  
7 **funds board - creation. (2) Creation of special funds board - duties.**

8 (a) For the purposes of carrying out this section, there is ~~hereby~~ created  
9 a special funds board, which IS A TYPE **2** ENTITY, AS DEFINED IN SECTION  
10 24-1-105, AND WHICH shall exercise its powers and perform its duties and  
11 functions as specified in this subsection (2) under the department of labor  
12 and employment. ~~as if the same were transferred to the department by a~~  
13 ~~type 2 transfer as such transfer is defined in the "Administrative~~  
14 ~~Organization Act of 1968", article 1 of title 24, C.R.S. Said~~ THE board  
15 ~~shall be~~ IS composed of five members: Four members who are managers  
16 or employees of self-insured employers in good standing, two of whom  
17 shall demonstrate knowledge of risk management and finance, and the  
18 executive director.

19 **SECTION 89.** In Colorado Revised Statutes, 8-47-101, **amend**  
20 (3)(a) as follows:

21 **8-47-101. Division of workers' compensation - creation -**  
22 **powers, duties, and functions - transfer of functions - change of**  
23 **statutory references. (3) (a)** The division of workers' compensation  
24 shall, on and after July 1, 1991, execute, administer, perform, and enforce  
25 the rights, powers, duties, functions, and obligations vested in the division  
26 of labor prior to July 1, 1991, concerning the duties and functions  
27 transferred to the division of workers' compensation. On July 1, 1991, all

1 employees of the division of labor whose principal duties are concerned  
2 with the duties and functions transferred to the division of workers'  
3 compensation and whose employment in the division of workers'  
4 compensation is deemed necessary by the executive director of the  
5 department of labor and employment to carry out the purposes of this  
6 article 47 shall be transferred to the division of workers' compensation  
7 and shall become employees thereof. The employees shall retain all rights  
8 to the state personnel system and retirement benefits under the laws of  
9 this state, and their services shall be deemed to have been continuous. All  
10 transfers and any abolishment of positions in the state personnel system  
11 shall be made and processed in accordance with state personnel system  
12 laws and rules. THE DIVISION OF WORKERS' COMPENSATION AND THE  
13 DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
14 24-1-105.

15 **SECTION 90.** In Colorado Revised Statutes, 8-71-102, **amend**  
16 (1) as follows:

17 **8-71-102. Powers, duties, and functions - acceptance of money.**

18 (1) The functions of the division comprise all administrative functions of  
19 the state in relation to the administration of articles 70 to 82 of this title.  
20 ~~The director of the division shall exercise the powers, duties, and~~  
21 ~~functions prescribed under articles 70 to 82 of this title under the~~  
22 ~~direction and supervision of the executive director of the department of~~  
23 ~~labor and employment as prescribed by section 24-1-105. (4), C.R.S.~~  
24 TITLE 8. THE DIVISION AND THE OFFICE OF DIRECTOR OF THE DIVISION ARE  
25 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
26 THE POWERS AND PERFORM THE DUTIES AND FUNCTIONS PRESCRIBED  
27 UNDER ARTICLES 70 TO 82 OF THIS TITLE 8 UNDER THE DIRECTION AND

1 SUPERVISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR  
2 AND EMPLOYMENT. Any vacancy in the office of director of the division  
3 ~~shall be~~ IS filled in the manner provided by law.

4 **SECTION 91.** In Colorado Revised Statutes, 8-83-103, **amend**  
5 (1) as follows:

6 **8-83-103. Powers, duties, and functions - acceptance of money.**

7 (1) The functions of the division comprise all administrative functions of  
8 the state in relation to the administration of this ~~article. The director shall~~  
9 ~~exercise his or her powers, duties, and functions prescribed under this~~  
10 ~~article under the direction and supervision of the executive director of the~~  
11 ~~department as prescribed by section 24-1-105. (4), C.R.S. ARTICLE 83.~~

12 THE DIVISION AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES,  
13 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS  
14 AND PERFORM THEIR DUTIES AND FUNCTIONS AS PRESCRIBED UNDER THIS  
15 ARTICLE 83 UNDER THE DIRECTION AND SUPERVISION OF THE EXECUTIVE  
16 DIRECTOR OF THE DEPARTMENT. Any vacancy in the office of director  
17 ~~shall be~~ IS filled in the manner provided by law.

18 **SECTION 92.** In Colorado Revised Statutes, 8-84-108, **amend**  
19 (1)(a) as follows:

20 **8-84-108. Transfer of functions - transition plan - report.**

21 (1) (a) On and after July 1, 2016, the ~~rights, powers, duties, and functions~~  
22 ~~OF THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS,~~  
23 ~~DUTIES, AND FUNCTIONS regarding vocational rehabilitation programs,~~  
24 ~~including the business enterprise program, THAT WERE FORMERLY vested~~  
25 ~~in the department of human services prior to that date. are transferred~~  
26 ~~from the department of human services to the department of labor and~~  
27 ~~employment by a type 2 transfer, as such transfer is defined in the~~

1 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

2 **SECTION 93.** In Colorado Revised Statutes, 8-85-109, **amend**  
3 (1) as follows:

4 **8-85-109. Transfer of functions - transition plan - report.**

5 (1) On and after July 1, 2016, the ~~rights,~~ powers, duties, and functions OF  
6 THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS,  
7 DUTIES, AND FUNCTIONS regarding independent living services THAT  
8 WERE FORMERLY vested in the department of human services prior to that  
9 date. ~~are transferred from the department of human services to the~~  
10 ~~department of labor and employment by a type 2 transfer, as such transfer~~  
11 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
12 ~~title 24, C.R.S.~~

13 **SECTION 94.** In Colorado Revised Statutes, 9-1.5-104.2, **amend**  
14 (1)(a) introductory portion as follows:

15 **9-1.5-104.2. Underground damage prevention safety**  
16 **commission - creation - review of violations - enforcement - rules.**

17 (1)(a) There is ~~hereby~~ created the underground damage prevention safety  
18 commission in the department of labor and employment. The safety  
19 commission is ~~transferred to the department by a type 2 transfer as that~~  
20 ~~term is~~ A **TYPE 2** ENTITY, AS defined in section 24-1-105. The safety  
21 commission shall:

22 **SECTION 95.** In Colorado Revised Statutes, 9-4-102, **amend** (1)  
23 as follows:

24 **9-4-102. Boiler inspection section - created - director - chief**  
25 **boiler inspector - inspectors - qualifications.** (1) The director shall  
26 carry out the provisions of this ~~article~~ ARTICLE 4. The director may  
27 appoint a chief boiler inspector to oversee the boiler inspection section,

1 which is hereby created in the division of oil and public safety. THE  
2 BOILER INSPECTION SECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
3 24-1-105. The chief boiler inspector and each state boiler inspector must  
4 be qualified from practical experience in the construction, maintenance,  
5 repair, or operation of boilers as a mechanical or safety engineer, steam  
6 engineer, boilermaker, or boiler inspector of not less than five years'  
7 actual experience to enable him or her to judge the safety of boilers for  
8 use as such. Neither the chief boiler inspector nor any state boiler  
9 inspector shall be interested directly or indirectly in the manufacture,  
10 ownership, or sale of boilers or boiler supplies.

11 **SECTION 96.** In Colorado Revised Statutes, 24-46.3-101,  
12 **amend** (1) as follows:

13 **24-46.3-101. State work force development council - creation**  
14 **- membership - funding through gifts, grants, and donations.**

15 (1) There is hereby created ~~within~~ IN the department of labor and  
16 employment, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3 as the  
17 "department", the state work force development council, ~~also~~ referred to  
18 in this ~~article~~ ARTICLE 46.3 as the "state council". THE STATE COUNCIL IS  
19 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The state council ~~shall~~  
20 ~~be~~ IS established as a state work force development board in accordance  
21 with the federal "Workforce Innovation and Opportunity Act", 29 U.S.C.  
22 sec. 3101 et seq., as amended, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3  
23 as the "federal act".

24 ~~<{*Department of Regulatory Agencies*}~~>

25 **SECTION 97.** In Colorado Revised Statutes, 24-1-122, **amend**  
26 (2)(a), (2)(a.5), (2)(b), (2)(c), (2)(d), (2)(e), (2)(g), (2)(h), (2)(k), (2)(l),  
27 (3) introductory portion, (4) introductory portion, and (6); and **add** (3)(nn)

1 and (4)(f) as follows:

2 **24-1-122. Department of regulatory agencies - creation.**

3 (2) The department of regulatory agencies consists of the following  
4 divisions:

5 (a) The public utilities commission, created ~~by~~ IN article 2 of title  
6 40. C.R.S. ~~Its powers, duties, and functions are transferred by a type 1~~  
7 ~~transfer to the department of regulatory agencies as a division thereof~~ THE  
8 PUBLIC UTILITIES COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
9 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
10 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AS A  
11 DIVISION THEREOF. The director of the commission ~~shall serve~~ SERVES as  
12 the division director.

13 (a.5) The office of the utility consumer advocate and the utility  
14 consumers' board, created in article 6.5 of title 40. The office of the utility  
15 consumer advocate ~~and its powers, duties, and functions are transferred~~  
16 ~~by a type 1 transfer to~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
18 FUNCTIONS UNDER the department of regulatory agencies as a division of  
19 the department. The utility consumers' board IS A **TYPE 2** ENTITY, AS  
20 DEFINED IN SECTION 24-1-105. THE UTILITY CONSUMERS' BOARD shall  
21 exercise its powers and perform its duties and functions under the  
22 department ~~as if the same were transferred to the department by a type 2~~  
23 ~~transfer~~ and is allocated to the office of the utility consumer advocate.

24 (b) (I) THE division of insurance, CREATED IN SECTION 10-1-103,  
25 the head of which ~~shall be~~ IS the commissioner of insurance. The division  
26 of insurance ~~of the state of Colorado, created by section 10-1-103, C.R.S.,~~  
27 ~~and its powers, duties, and functions are transferred by a type 1 transfer~~



1 ~~to the department of regulatory agencies as the division of insurance~~ IS A  
2 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
3 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
4 DEPARTMENT OF REGULATORY AGENCIES.

5 (II) The workers' compensation classification appeals board,  
6 created by IN section 8-55-101 (1). ~~C.R.S., shall exercise its powers and~~  
7 ~~perform duties and functions under the division of insurance as if such~~  
8 ~~workers' compensation classification appeals board were transferred to~~  
9 ~~the division of insurance by a type 1 transfer~~ THE WORKERS'  
10 COMPENSATION CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS  
11 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
12 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF INSURANCE.

13 (c) THE division of financial services, the head of which ~~shall be~~  
14 IS the state commissioner of financial services. The financial services  
15 board, created by IN section 11-44-101.6, ~~C.R.S., and its powers, duties,~~  
16 ~~and functions are transferred as if by a type 1 transfer to the department~~  
17 ~~of regulatory agencies, and allocated to the division of financial services.~~  
18 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE FINANCIAL  
19 SERVICES BOARD SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES  
20 AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND  
21 IS ALLOCATED TO THE DIVISION OF FINANCIAL SERVICES. The office of  
22 state commissioner of financial services and the DIVISION OF financial  
23 services, ~~division of the state of Colorado, created by~~ IN article 44 of title  
24 11, ~~C.R.S., are transferred by a type 2 transfer to the department of~~  
25 ~~regulatory agencies, and allocated to the division of financial services~~ ARE  
26 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
27 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE

1 DEPARTMENT OF REGULATORY AGENCIES.

2 (d) THE division of banking, the head of which ~~shall be~~ IS the state  
3 bank commissioner. The banking board, created ~~by~~ IN article 102 of title  
4 11 C.R.S., ~~and its powers, duties, and functions are transferred by a type~~  
5 ~~1 transfer to the department of regulatory agencies and allocated to the~~  
6 ~~division of banking~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.  
7 THE BANKING BOARD SHALL EXERCISE ITS POWERS AND PERFORM ITS  
8 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY  
9 AGENCIES AND IS ALLOCATED TO THE DIVISION OF BANKING.

10 (e) THE division of securities, the head of which ~~shall be~~ IS the  
11 commissioner of securities. The securities board, created in section  
12 11-51-702.5, C.R.S., ~~and its powers, duties, and functions are transferred~~  
13 ~~by a type 1 transfer to the department of regulatory agencies and~~  
14 ~~allocated to the division of securities~~ IS A **TYPE 1** ENTITY, AS DEFINED IN  
15 SECTION 24-1-105. THE SECURITIES BOARD SHALL EXERCISE ITS POWERS  
16 AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
17 REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF  
18 SECURITIES. The division of securities, and the office of commissioner of  
19 securities, created ~~by~~ IN article 51 of title 11, C.R.S., ~~and their powers,~~  
20 ~~duties, and functions are transferred by a type 1 transfer to the department~~  
21 ~~of regulatory agencies as the division of securities~~ ARE **TYPE 1** ENTITIES,  
22 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS  
23 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
24 REGULATORY AGENCIES.

25 (g) THE division of professions and occupations, the head of  
26 which ~~shall be~~ IS the director of professions and occupations, which  
27 office is hereby created. ~~The division of professions and occupations is~~

1 transferred by a ~~type 2~~ transfer to the department of regulatory agencies  
2 as the division of professions and occupations THE DIVISION OF  
3 PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN  
4 SECTION 24-1-105.

5 (h) THE Colorado civil rights division, the head of which ~~shall be~~  
6 is the director of the Colorado civil rights division, AND THE COLORADO  
7 CIVIL RIGHTS COMMISSION. The Colorado civil rights commission, the  
8 Colorado civil rights division, and the office of director of the Colorado  
9 civil rights division, created by IN part 3 of article 34 of this title, and  
10 their powers, duties, and functions are transferred by a **type 1** transfer to  
11 the department of regulatory agencies as the Colorado civil rights division  
12 TITLE 24, ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
13 SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
14 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

15 (k) (I) THE division of real estate, the head of which ~~shall be~~ is the  
16 director of the division, AND THE REAL ESTATE COMMISSION. The division  
17 of real estate and the director of the division, created by IN part 2 of  
18 article 10 of title 12, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
19 24-1-105, AND shall exercise their powers and perform their duties and  
20 functions under the department of regulatory agencies. as if they were  
21 transferred to the department by a ~~type 2~~ transfer. The real estate  
22 commission, created by IN part 2 of article 10 of title 12, and its powers,  
23 duties, and functions are transferred by a **type 1** transfer to the department  
24 of regulatory agencies IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
25 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
26 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

27 (II) The division ~~shall include~~ OF REAL ESTATE INCLUDES the

1 board of real estate appraisers, created ~~by~~ IN part 6 of article 10 of title 12.  
2 ~~which~~ THE BOARD OF REAL ESTATE APPRAISERS IS A **TYPE 1** ENTITY, AS  
3 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
4 its duties and functions under the department of regulatory agencies. ~~as~~  
5 ~~if the same were transferred thereto by a type 1 transfer.~~ The division  
6 ~~shall~~ OF REAL ESTATE also ~~include~~ INCLUDES the board of mortgage loan  
7 originators, created ~~by~~ IN section 12-10-703. The board of mortgage loan  
8 originators ~~shall exercise its powers and perform its duties and functions~~  
9 ~~under the department of regulatory agencies as if transferred thereto by~~  
10 ~~a type 1 transfer~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,  
11 AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
12 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

13 (l) THE division of conservation, the head of which is the director  
14 of the division, AND THE CONSERVATION EASEMENT OVERSIGHT  
15 COMMISSION. The division of conservation and the director of the  
16 division, created ~~by~~ IN article 15 of title 12, ARE **TYPE 2** ENTITIES, AS  
17 DEFINED IN SECTION 24-1-105, AND shall exercise their powers and  
18 perform their duties and functions under the department of regulatory  
19 agencies. ~~as if they were transferred to the department by a type 2~~  
20 ~~transfer.~~ The conservation easement oversight commission, created ~~by~~ IN  
21 section 12-15-103, ~~and its powers, duties, and functions are transferred~~  
22 ~~by a type 2 transfer to the department of regulatory agencies and~~  
23 ~~allocated to the division of conservation~~ IS A **TYPE 2** ENTITY, AS DEFINED  
24 IN SECTION 24-1-105. THE CONSERVATION EASEMENT OVERSIGHT  
25 COMMISSION SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
26 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS  
27 ALLOCATED TO THE DIVISION OF CONSERVATION.

1 (3) The following boards and agencies ~~are transferred by a type~~  
2 ~~1 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated  
3 to the division of professions and occupations AND ARE **TYPE 1** ENTITIES,  
4 AS DEFINED IN SECTION 24-1-105:

5 (nn) THE STATE PHYSICAL THERAPY BOARD, CREATED IN PART 1 OF  
6 ARTICLE 285 OF TITLE 12.

7 (4) The following boards and agencies ~~are transferred by a type~~  
8 ~~2 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated  
9 to the division of professions and occupations AND ARE **TYPE 2** ENTITIES,  
10 AS DEFINED IN SECTION 24-1-105:

11 (f) THE OFFICE OF COMBATIVE SPORTS, CREATED IN SECTION  
12 12-110-105, AND THE COLORADO COMBATIVE SPORTS COMMISSION,  
13 CREATED IN SECTION 12-110-106.

14 (6) (a) The Colorado prescription drug affordability review board  
15 created in section 10-16-1402 is ~~transferred by a type 1 transfer to~~ A **TYPE**  
16 **1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE COLORADO  
17 PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD SHALL EXERCISE ITS  
18 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER the department  
19 of regulatory agencies and is allocated to the division of insurance.

20 (b) The Colorado prescription drug affordability advisory council  
21 created in section 10-16-1409 is ~~transferred by a type 2 transfer to~~ A **TYPE**  
22 **2** ENTITY AS DEFINED IN SECTION 24-1-105. THE COLORADO PRESCRIPTION  
23 DRUG AFFORDABILITY ADVISORY COUNCIL SHALL EXERCISE ITS POWERS  
24 AND PERFORM ITS DUTIES AND FUNCTIONS UNDER the department of  
25 regulatory agencies and is allocated to the division of insurance.

26 **SECTION 98.** In Colorado Revised Statutes, 8-55-101, **amend**  
27 (1) introductory portion as follows:

1           **8-55-101. Workers' compensation classification appeals board**  
2   **- creation.** (1) There is ~~hereby~~ created, in the division of insurance in the  
3   department of regulatory agencies, the workers' compensation  
4   classification appeals board. THE WORKERS' COMPENSATION  
5   CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN  
6   SECTION 24-1-105. The board shall hear grievances brought by employers  
7   against insurers and Pinnacol Assurance concerning the calculation of  
8   experience modification factors and classification assignment decisions.  
9   The board ~~shall consist~~ CONSISTS of five voting members, each of whom  
10   ~~shall~~ MUST be knowledgeable about workers' compensation classification  
11   and experience modification factors, and one nonvoting member, as  
12   follows:

13           **SECTION 99.** In Colorado Revised Statutes, 10-1-103, **amend**  
14   (1) as follows:

15           **10-1-103. Division of insurance - subject to repeal - repeal of**  
16   **functions.** (1) There is established a division of insurance ~~within~~ IN the  
17   department of regulatory agencies. THE DIVISION OF INSURANCE IS A **TYPE**  
18   **1** ENTITY, AS DEFINED IN SECTION 24-1-105. This division is charged with  
19   the execution of the laws relating to insurance and has a supervising  
20   authority over the business of insurance in this state. Offices of the  
21   division of insurance ~~shall~~ MUST be provided in the capitol buildings  
22   group at Denver, Colorado. Whenever any law of this state refers to the  
23   insurance department of the state of Colorado, ~~said~~ THE law shall be  
24   construed as referring to the division of insurance.

25           **SECTION 100.** In Colorado Revised Statutes, 10-16-1402,  
26   **amend** (1) as follows:

27           **10-16-1402. Colorado prescription drug affordability review**

1 **board - created - membership - terms - conflicts of interest.** (1) The  
2 Colorado prescription drug affordability review board is created in the  
3 division. THE BOARD IS A **TYPE 1** ENTITY AS DEFINED IN SECTION 24-1-105.  
4 THE BOARD SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
5 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS  
6 ALLOCATED TO THE DIVISION OF INSURANCE. The board is a body politic  
7 and corporate and is an instrumentality of the state. The board is an  
8 independent unit of state government, and the exercise by the board of its  
9 authority under this part 14 is an essential public function.

10 **SECTION 101.** In Colorado Revised Statutes, 10-16-1409,  
11 **amend** (1)(a) introductory portion as follows:

12 **10-16-1409. Colorado prescription drug affordability advisory**  
13 **council - created - membership - powers and duties.** (1) (a) The  
14 Colorado prescription drug affordability advisory council is created in the  
15 division to provide stakeholder input to the board regarding the  
16 affordability of prescription drugs. THE ADVISORY COUNCIL IS A **TYPE 2**  
17 ENTITY, AS DEFINED IN SECTION 24-1-105. THE ADVISORY COUNCIL SHALL  
18 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
19 THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE  
20 DIVISION OF INSURANCE. The advisory council includes fifteen members  
21 as follows:

22 **SECTION 102.** In Colorado Revised Statutes, **amend** 11-44-101  
23 as follows:

24 **11-44-101. Division of financial services created.** There is  
25 ~~hereby~~ created a division of financial services ~~within~~ IN the department  
26 of regulatory agencies, which shall be administered by the state  
27 commissioner of financial services. When any law of this state refers to

1 the savings and loan department of the state of Colorado, said law shall  
2 be construed as referring to the division of financial services. THE  
3 DIVISION OF FINANCIAL SERVICES AND THE OFFICE OF THE STATE  
4 COMMISSIONER OF FINANCIAL SERVICES ARE **TYPE 2** ENTITIES, AS DEFINED  
5 IN SECTION 24-1-105.

6 **SECTION 103.** In Colorado Revised Statutes, 11-44-101.6,  
7 **amend** (1) as follows:

8 **11-44-101.6. Financial services board - creation.** (1) There is  
9 ~~hereby~~ established in the division OF FINANCIAL SERVICES the financial  
10 services board, which ~~shall consist~~ CONSISTS of five members. THE  
11 FINANCIAL SERVICES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
12 24-1-105.

13 **SECTION 104.** In Colorado Revised Statutes, **amend** 11-51-701  
14 as follows:

15 **11-51-701. Division of securities - creation - powers and duties.**  
16 There is ~~hereby~~ created the division of securities ~~within~~ IN the department  
17 of regulatory agencies, the head of which ~~shall be~~ IS the commissioner of  
18 securities, who shall be appointed by the executive director of the  
19 department of regulatory agencies, pursuant to ~~the provisions of~~ section  
20 13 of article XII of the state constitution, and the securities board. THE  
21 DIVISION OF SECURITIES AND THE OFFICE OF COMMISSIONER OF SECURITIES  
22 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. The division ~~shall~~  
23 ~~be~~ IS responsible for the administration of the provisions of articles 51,  
24 53, and 59 of this ~~title~~ TITLE 11 and part 7 of article 75 of title 24, ~~C.R.S.~~,  
25 and shall perform such other duties as are imposed upon it by law.

26 **SECTION 105.** In Colorado Revised Statutes, 11-51-702.5, **add**  
27 (2.5) as follows:



1           **11-51-702.5. Securities board - creation - duties - repeal.**

2           (2.5) THE SECURITIES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
3           24-1-105.

4           **SECTION 106.** In Colorado Revised Statutes, 11-102-104, **add**  
5           (1.5) as follows:

6           **11-102-104. Powers and duties of banking board.** (1.5) THE  
7           BANKING BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

8           **SECTION 107.** In Colorado Revised Statutes, 12-10-206, **amend**  
9           (1) as follows:

10           **12-10-206. Real estate commission - created - compensation -**  
11           **immunity.** (1) There is ~~hereby~~ created a commission of five members,  
12           appointed by the governor, which shall administer parts 2 and 5 of this  
13           article 10. This commission is known as the real estate commission. THE  
14           COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, and  
15           consists of three real estate brokers who have had not less than five years'  
16           experience in the real estate business in Colorado, one of whom has  
17           substantial experience in property management, and two representatives  
18           of the public at large. Members of the commission ~~hold office for a~~  
19           ~~period of three years~~ SERVE THREE-YEAR TERMS. Upon the death,  
20           resignation, removal, or otherwise of any member of the commission, the  
21           governor shall appoint a member to fill out the unexpired term. The  
22           governor may remove any member for misconduct, neglect of duty, or  
23           incompetence.

24           **SECTION 108.** In Colorado Revised Statutes, 12-10-207, **amend**  
25           (1) as follows:

26           **12-10-207. Division of real estate - creation - director, clerks,**  
27           **and assistants.** (1) There is ~~hereby~~ created ~~within~~ IN the department the

1 division of real estate. The executive director is authorized by this section  
2 to employ, subject to the provisions of the state personnel system laws of  
3 the state, a director of the division, who in turn shall employ such  
4 attorneys, deputies, investigators, clerks, and assistants as are necessary  
5 to discharge the duties imposed by parts 2 and 5 of this article 10. The  
6 division and the director ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
7 24-1-105, AND shall exercise their powers and perform their duties and  
8 functions under the department. ~~as if they were transferred to the~~  
9 ~~department by a type 2 transfer.~~

10 **SECTION 109.** In Colorado Revised Statutes, 12-10-603, **amend**  
11 (2)(a) as follows:

12 **12-10-603. Board of real estate appraisers - creation -**  
13 **compensation - immunity - legislative declaration - subject to review**  
14 **- repeal of part.** (2) (a) The board IS A **TYPE 1** ENTITY, AS DEFINED IN  
15 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
16 and functions under the division of real estate. ~~as if transferred to the~~  
17 ~~division by a type 1 transfer, as defined in the "Administrative~~  
18 ~~Organization Act of 1968", article 1 of title 24.~~

19 **SECTION 110.** In Colorado Revised Statutes, 12-10-703, **amend**  
20 (2)(a) as follows:

21 **12-10-703. Board of mortgage loan originators - creation -**  
22 **compensation - enforcement of part after board creation - immunity.**  
23 (2) (a) The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,  
24 AND shall exercise its powers and perform its duties and functions under  
25 the department. ~~as if transferred to the department by a type 1 transfer, as~~  
26 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~  
27 ~~article 1 of title 24.~~

1           **SECTION 111.** In Colorado Revised Statutes, 12-15-102, **amend**  
2       (1) as follows:

3           **12-15-102. Division of conservation - creation - director.**

4       (1) There is ~~hereby~~ created ~~within~~ IN the department the division of  
5       conservation, referred to in this article 15 as the "division". The executive  
6       director is authorized by this section to employ, subject to the provisions  
7       of the state personnel system laws of the state, a director of the division,  
8       who in turn shall employ such deputies, clerks, and assistants as are  
9       necessary to discharge the duties imposed by this article 15. The division  
10      and the director of the division ARE **TYPE 2** ENTITIES, AS DEFINED IN  
11      SECTION 24-1-105, AND shall exercise their powers and perform their  
12      duties and functions under the department. ~~as if they were transferred to~~  
13      ~~the department by a type 2 transfer.~~

14           **SECTION 112.** In Colorado Revised Statutes, 12-15-103, **amend**  
15       (1) introductory portion as follows:

16           **12-15-103. Conservation easement oversight commission -**

17      **created - repeal.** (1) There is ~~hereby~~ created in the division a  
18      conservation easement oversight commission, referred to in this article 15  
19      as the "commission". The commission IS A **TYPE 2** ENTITY, AS DEFINED IN  
20      SECTION 24-1-105, AND shall exercise its powers and perform its duties  
21      and functions under the division. ~~as if transferred thereto by a type 2~~  
22      ~~transfer, as defined in the "Administrative Organization Act of 1968",~~  
23      ~~article 1 of title 24.~~ The commission consists of eight members as  
24      follows:

25           **SECTION 113.** In Colorado Revised Statutes, 12-20-103, **amend**  
26       (1)(a) as follows:

27           **12-20-103. Division of professions and occupations - creation**

1     **- duties of division and department head - office space - per diem for**  
2     **board or commission members - review of functions. (1) Division**  
3     **created.** (a) There is ~~hereby~~ created a division of professions and  
4     occupations in the department of regulatory agencies, the head of which  
5     is the director of professions and occupations. THE DIVISION OF  
6     PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN  
7     SECTION 24-1-105. The executive director of the department shall appoint  
8     the director in accordance with section 13 of article XII of the state  
9     constitution. Except as provided in subsection (1)(b) of this section, the  
10    director shall appoint other personnel as necessary for the efficient  
11    operation of the division.

12           **SECTION 114.** In Colorado Revised Statutes, 12-100-104, **add**  
13    (1.5) as follows:

14           **12-100-104. State board of accountancy - subject to**  
15    **termination.** (1.5) THE STATE BOARD OF ACCOUNTANCY IS A **TYPE 1**  
16    ENTITY, AS DEFINED IN SECTION 24-1-105.

17           **SECTION 115.** In Colorado Revised Statutes, **amend**  
18    12-110-105 as follows:

19           **12-110-105. Office of combative sports - creation.** There is  
20    ~~hereby~~ created ~~within~~ IN the division the office of combative sports. The  
21    office of combative sports and the Colorado combative sports  
22    commission, created in section 12-110-106, ARE **TYPE 2** ENTITIES, AS  
23    DEFINED IN SECTION 24-1-105, AND shall exercise their respective powers  
24    and perform their respective duties and functions as specified in this  
25    article 110 under the department. ~~as if the powers, duties, and functions~~  
26    ~~were transferred to the department by a type 2 transfer, as such transfer~~  
27    ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~

1 ~~title 24.~~

2 **SECTION 116.** In Colorado Revised Statutes, **amend**  
3 12-115-106 as follows:

4 **12-115-106. Board under department of regulatory agencies.**

5 The state electrical board ~~and its powers, duties, and functions are~~  
6 ~~transferred, effective July 1, 1978, by a type 1 transfer, as such transfer~~  
7 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
8 ~~title 24, to the department and allocated to the division~~ IS A **TYPE 1**  
9 ENTITY, AS DEFINED IN SECTION 24-1-105. THE STATE ELECTRICAL BOARD  
10 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
11 UNDER THE DEPARTMENT AND IS ALLOCATED TO THE DIVISION.

12 **SECTION 117.** In Colorado Revised Statutes, 12-120-103,  
13 **amend** (1) as follows:

14 **12-120-103. State board of licensure for architects,**  
15 **professional engineers, and professional land surveyors - creation -**  
16 **composition - appointment of members - terms - meetings - program**  
17 **director and staff - subject to review - repeal of article. (1) Board**  
18 **creation.** A state board of licensure for architects, professional engineers,  
19 and professional land surveyors is ~~hereby~~ created, the duty of which ~~shall~~  
20 ~~be~~ IS to administer the provisions of this article 120, including the duties  
21 and powers specified in section 12-120-104. THE STATE BOARD OF  
22 LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND  
23 PROFESSIONAL LAND SURVEYORS IS A **TYPE 1** ENTITY, AS DEFINED IN  
24 SECTION 24-1-105.

25 **SECTION 118.** In Colorado Revised Statutes, 12-150-104,  
26 **amend** (1) as follows:

27 **12-150-104. Passenger tramway safety board - composition.**

1 (1) There is ~~hereby~~ created IN THE DEPARTMENT OF REGULATORY  
2 AGENCIES AND ALLOCATED TO THE DIVISION OF PROFESSIONS AND  
3 OCCUPATIONS PURSUANT TO SECTION 24-1-122 (3)(q) a passenger  
4 tramway safety board of six appointive members and one member  
5 designated by the United States forest service. THE PASSENGER TRAMWAY  
6 SAFETY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The  
7 appointive members ~~shall be~~ ARE appointed by the governor from persons  
8 representing the following interests: Two members to represent the  
9 industry or area operators; two members to represent the public at large;  
10 one member who is a licensed professional engineer not employed by a  
11 ski area or related industry; and one member familiar with or experienced  
12 in the tramway industry who may represent the passenger tramway  
13 manufacturing or design industry or an area operator. ~~No person shall be~~  
14 ~~so appointed or designated except those~~ THE GOVERNOR AND THE UNITED  
15 STATES FOREST SERVICE SHALL ONLY APPOINT OR DESIGNATE MEMBERS  
16 who, by reason of knowledge or experience, ~~shall be~~ ARE deemed to be  
17 qualified. The knowledge or experience ~~shall~~ MUST be either from active  
18 and relevant involvement in the design, manufacture, or operation of  
19 passenger tramways or as a result of extensive and relevant involvement  
20 in related activities. The governor, in making appointments, shall consider  
21 recommendations made to ~~him or her~~ THE GOVERNOR by the membership  
22 of the particular interest from which the appointments are to be made.

23 **SECTION 119.** In Colorado Revised Statutes, 12-155-104,  
24 **amend** (1) as follows:

25 **12-155-104. State plumbing board - subject to review - repeal**  
26 **of article.** (1) There is ~~hereby~~ established ~~within~~ IN the division the state  
27 plumbing board. The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

1 24-1-105, AND shall exercise its powers and perform its duties and  
2 functions ~~in~~ UNDER the department of regulatory agencies. ~~as if it were~~  
3 ~~transferred to the department by a type 1 transfer, as such transfer is~~  
4 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
5 ~~24.~~

6 **SECTION 120.** In Colorado Revised Statutes, 12-215-104, **add**  
7 (1.5) as follows:

8 **12-215-104. State board of chiropractic examiners - board**  
9 **meetings - election of officers - subject to review - repeal of article.**

10 (1.5) THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS IS A  
11 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

12 **SECTION 121.** In Colorado Revised Statutes, 12-220-105,  
13 **amend** (1)(a) as follows:

14 **12-220-105. Colorado dental board - qualifications of board**  
15 **members - quorum - panel - rules - review of functions - repeal of**  
16 **article.** (1) (a) The Colorado dental board is ~~hereby~~ created as the agency  
17 of this state for the regulation of the practice of dentistry in this state and  
18 to carry out the purposes of this article 220. The board IS A **TYPE 1**  
19 ENTITY, AS DEFINED IN SECTION 24-1-105, AND is subject to the  
20 supervision and control of the division as provided by section 12-20-103  
21 (2).

22 **SECTION 122.** In Colorado Revised Statutes, 12-240-105,  
23 **amend** (1)(a) introductory portion as follows:

24 **12-240-105. Colorado medical board - immunity - subject to**  
25 **review - repeal of article.** (1) (a) There is ~~hereby~~ created the Colorado  
26 medical board, referred to in this article 240 as the "board". THE BOARD  
27 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board ~~shall~~

1 ~~consist~~ CONSISTS of seventeen members appointed by the governor and  
2 possessing the qualifications specified in this article 240 and as follows:

3       **SECTION 123.** In Colorado Revised Statutes, 12-245-302,  
4 **amend** (1) as follows:

5       **12-245-302. State board of psychologist examiners - created -**  
6 **members - terms.** (1) There is ~~hereby~~ created a state board of  
7 psychologist examiners under the supervision and control of the division.  
8 THE STATE BOARD OF PSYCHOLOGIST EXAMINERS IS A **TYPE 1** ENTITY, AS  
9 DEFINED IN SECTION 24-1-105.

10       **SECTION 124.** In Colorado Revised Statutes, 12-245-402,  
11 **amend** (1) as follows:

12       **12-245-402. State board of social work examiners - created -**  
13 **members - terms.** (1) There is ~~hereby~~ created under the supervision and  
14 control of the division the state board of social work examiners, which  
15 consists of seven members who are residents of the state of Colorado.  
16 THE STATE BOARD OF SOCIAL WORK EXAMINERS IS A **TYPE 1** ENTITY, AS  
17 DEFINED IN SECTION 24-1-105.

18       **SECTION 125.** In Colorado Revised Statutes, 12-245-502,  
19 **amend** (1) as follows:

20       **12-245-502. State board of marriage and family therapist**  
21 **examiners - created - members - terms.** (1) There is ~~hereby~~ created  
22 under the supervision and control of the division the state board of  
23 marriage and family therapist examiners, which consists of seven  
24 members who are residents of the state of Colorado. THE STATE BOARD  
25 OF MARRIAGE AND FAMILY THERAPIST EXAMINERS IS A **TYPE 1** ENTITY, AS  
26 DEFINED IN SECTION 24-1-105.

27       **SECTION 126.** In Colorado Revised Statutes, 12-245-602,



1     **amend** (1) as follows:

2             **12-245-602. State board of licensed professional counselor**  
3     **examiners - created - members - fines.** (1) There is ~~hereby~~ created the  
4     state board of licensed professional counselor examiners under the  
5     supervision and control of the division. The board IS A **TYPE 1** ENTITY, AS  
6     DEFINED IN SECTION 24-1-105, AND consists of seven members who are  
7     residents of the state of Colorado.

8             **SECTION 127.** In Colorado Revised Statutes, 12-245-702,  
9     **amend** (1) as follows:

10            **12-245-702. State board of unlicensed psychotherapists -**  
11    **creation - membership.** (1) There is ~~hereby~~ created the state board of  
12    unlicensed psychotherapists, which is under the supervision and control  
13    of the division as provided in section 12-20-103 (2). The board IS A **TYPE**  
14    **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND consists of seven  
15    members who are residents of the state of Colorado.

16            **SECTION 128.** In Colorado Revised Statutes, 12-245-802,  
17    **amend** (1) as follows:

18            **12-245-802. State board of addiction counselor examiners -**  
19    **created - members - terms.** (1) There is ~~hereby~~ created a state board of  
20    addiction counselor examiners under the supervision and control of the  
21    division. THE STATE BOARD OF ADDICTION COUNSELOR EXAMINERS IS A  
22    **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. Once the governor  
23    appoints the board members and the board adopts necessary rules, the  
24    board is responsible for regulating addiction counselors pursuant to this  
25    part 8 and this article 245.

26            **SECTION 129.** In Colorado Revised Statutes, 12-255-105,  
27    **amend** (1)(a) introductory portion as follows:

1           **12-255-105. State board of nursing created - removal of board**  
2   **members - meetings of board.** (1) (a) There is hereby created the state  
3   board of nursing in the division, which IS A **TYPE 1** ENTITY, AS DEFINED  
4   IN SECTION 24-1-105. THE board consists of eleven members who are  
5   residents of this state, appointed by the governor as follows:

6           **SECTION 130.** In Colorado Revised Statutes, 12-265-106,  
7   **amend** (5) as follows:

8           **12-265-106. Board of examiners of nursing home**  
9   **administrators - creation - subject to termination.** (5) The board IS A  
10   **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
11   powers and perform its duties and functions specified by this article 265  
12   under the department, the executive director, and the division. ~~as if the~~  
13   ~~same were transferred to the department by a type 1 transfer, as such~~  
14   ~~transfer is defined in the "Administrative Organization Act of 1968",~~  
15   ~~article 1 of title 24.~~

16           **SECTION 131.** In Colorado Revised Statutes, 12-275-107,  
17   **amend** (1)(a) as follows:

18           **12-275-107. State board of optometry - created - members.**  
19   (1) (a) The state board of optometry, referred to in this article 275 as the  
20   "board", is hereby created and is under the supervision and control of the  
21   division as provided by section 12-20-103 (2). THE BOARD IS A **TYPE 1**  
22   ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists of five  
23   optometrists and two members-at-large, to be appointed by the governor  
24   to serve for terms of four years; except that no person shall be appointed  
25   to serve more than two consecutive terms. Each member of the board,  
26   except for the members-at-large, must have been actually engaged and  
27   licensed in the practice of optometry in Colorado for the five years

1 preceding the member's appointment. At least one of the two  
2 members-at-large must not be a member or representative of, nor have  
3 any direct interest in, any profession, agency, or institution providing  
4 health services.

5 **SECTION 132.** In Colorado Revised Statutes, 12-280-104,  
6 **amend** (2) as follows:

7 **12-280-104. State board of pharmacy - creation - subject to**  
8 **review - repeal of parts.** (2) The board IS A **TYPE 1** ENTITY, AS DEFINED  
9 IN SECTION 24-1-105, AND shall exercise its powers and perform its duties  
10 and functions specified by this article 280 under the department and the  
11 executive director. ~~as if the same were transferred to the department by~~  
12 ~~a **type 1** transfer, as defined in the "Administrative Organization Act of~~  
13 ~~1968", article 1 of title 24.~~

14 **SECTION 133.** In Colorado Revised Statutes, 12-285-104,  
15 **amend** (3) as follows:

16 **12-285-104. Definitions.** As used in this article 285, unless the  
17 context otherwise requires:

18 (3) "Board" means the STATE physical therapy board created in  
19 section 12-285-105.

20 **SECTION 134.** In Colorado Revised Statutes, 12-285-105,  
21 **amend** (1)(b) as follows:

22 **12-285-105. State physical therapy board - created.** (1)(b) The  
23 board ~~exercises its powers and performs its duties and functions under the~~  
24 ~~division as if the powers, duties, and functions were transferred to the~~  
25 ~~division by a **type 1** transfer, as defined in the "Administrative~~  
26 ~~Organization Act of 1968", article 1 of title 24~~ IS A **TYPE 1** ENTITY, AS  
27 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND

1     PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION. The division  
2     shall provide necessary management support to the board under section  
3     12-20-103 (2).

4             **SECTION 135.** In Colorado Revised Statutes, 12-290-106,  
5     **amend** (1) introductory portion as follows:

6             **12-290-106. Powers and duties of board - limitation on**  
7     **authority - rules.** (1) The board shall regulate the practice of podiatry  
8     AND IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board  
9     shall exercise, subject to ~~the provisions of this article 290,~~ the following  
10    powers, ~~and~~ duties, AND FUNCTIONS:

11            **SECTION 136.** In Colorado Revised Statutes, 12-315-106, **add**  
12    (1.5) as follows:

13            **12-315-106. Board of veterinary medicine - creation - powers**  
14    **- rules.** (1.5) THE STATE BOARD OF VETERINARY MEDICINE IS A **TYPE 1**  
15    ENTITY, AS DEFINED IN SECTION 24-1-105.

16            **SECTION 137.** In Colorado Revised Statutes, 24-34-302, **amend**  
17    (1) as follows:

18            **24-34-302. Civil rights division - director - powers and duties.**

19    (1) There is ~~hereby~~ created ~~within~~ IN the department of regulatory  
20    agencies a division of state government ~~to be known and~~ designated as  
21    the Colorado civil rights division, the head of which ~~shall be~~ IS the  
22    director of the Colorado civil rights division. The director ~~shall be~~ IS  
23    appointed by the executive director of the department of regulatory  
24    agencies pursuant to section 13 of article XII of the state constitution, and  
25    the executive director shall give good faith consideration to the  
26    recommendations of the commission prior to making the appointment.  
27    THE COLORADO CIVIL RIGHTS DIVISION AND THE DIRECTOR OF THE

1 COLORADO CIVIL RIGHTS DIVISION ARE **TYPE 1** ENTITIES, AS DEFINED IN  
2 SECTION 24-1-105.

3 **SECTION 138.** In Colorado Revised Statutes, 24-34-303, **amend**  
4 (1)(a) as follows:

5 **24-34-303. Civil rights commission - membership.**

6 (1) (a) There is ~~hereby~~ created ~~within~~ IN the division the Colorado civil  
7 rights commission. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN  
8 SECTION 24-1-105.

9 **SECTION 139.** In Colorado Revised Statutes, 40-2-101, **amend**  
10 (1) as follows:

11 **40-2-101. Creation - appointment - term - subject to**

12 **termination - repeal of part.** (1) (a) A public utilities commission is  
13 ~~hereby~~ created IN THE DEPARTMENT OF REGULATORY AGENCIES, which  
14 ~~shall be~~ IS known as the public utilities commission of the state of  
15 Colorado. ~~to consist~~ THE PUBLIC UTILITIES COMMISSION IS A **TYPE 1**  
16 ENTITY, AS DEFINED IN SECTION 24-1-105.

17 (b) THE PUBLIC UTILITIES COMMISSION CONSISTS of three members  
18 ~~who shall be~~ appointed by the governor with the consent of the senate.  
19 Persons holding office on July 1, 1993, shall continue to serve in such  
20 office, but the term of one of these persons shall expire on the Monday  
21 preceding the second Tuesday of January, 1995, of another, the Monday  
22 preceding the second Tuesday of January, 1996, and of the third, the  
23 Monday preceding the second Tuesday of January, 1997, all as the  
24 governor shall designate; except that such designation shall not result in  
25 the extension of the term of any member to more than four years'  
26 duration. Thereafter, appointments shall be made for terms of four years.

27 **SECTION 140.** In Colorado Revised Statutes, 40-2-103, **amend**

1 (1) as follows:

2 **40-2-103. Director - duties.** (1) The executive director of the  
3 department of regulatory agencies, pursuant to section 13 of article XII  
4 of the state constitution, and with the approval of the commission, shall  
5 appoint a director of the commission. The director shall manage the  
6 operations of the agency in order to carry out the public utilities law, to  
7 carry out and implement policies, procedures, and decisions made by the  
8 commission, and to meet the requirements of the commission concerning  
9 any matters within the authority of ~~an agency transferred by a type 1~~  
10 ~~transfer~~ ENTITY, as defined in section 24-1-105, ~~C.R.S.~~, and which  
11 requirements are under the jurisdiction of the commission. The director  
12 has all the powers and responsibilities of the division director for this  
13 purpose, including the power to issue all necessary process, writs,  
14 warrants, and notices. The director has the requisite power to serve  
15 warrants and other process in any county or city and county of this state  
16 and to delegate such actions to duly authorized employees or agents of the  
17 agency as appropriate.

18 **SECTION 141.** In Colorado Revised Statutes, 40-6.5-102,  
19 **amend** (2) and (3)(a) as follows:

20 **40-6.5-102. Office of the utility consumer advocate and utility**  
21 **consumers' board - creation - appointment - attorney general to**  
22 **represent.** (2) The office IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
23 24-1-105, AND shall exercise its powers and perform its duties and  
24 functions specified in this article 6.5 under the department of regulatory  
25 agencies. ~~as if the same were transferred to the department by a type 1~~  
26 ~~transfer, as such transfer is defined in the "Administrative Organization~~  
27 ~~Act of 1968", article 1 of title 24.~~

1 (3) (a) The utility consumers' board ~~which is hereby~~ created AND  
2 shall guide the policy of the office. The board IS A **TYPE 2** ENTITY, AS  
3 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
4 its duties and functions specified in this article 6.5 under the department  
5 of regulatory agencies and the executive director. ~~as if the same were~~  
6 ~~transferred to the department by a **type 2** transfer, as such transfer is~~  
7 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
8 ~~24.~~

9 ~~<{*Department of Agriculture*}>~~

10 **SECTION 142.** In Colorado Revised Statutes, 24-1-123, **amend**  
11 (2), (3), (4) introductory portion, (4)(a), (4)(b), (4)(c), (4)(d), (4)(e),  
12 (4)(g)(I), (4)(h), (4)(i), (5), (6), and (7) as follows:

13 **24-1-123. Department of agriculture - creation.** (2) The state  
14 agricultural commission, created by IN article 1 of title 35, ~~C.R.S., and its~~  
15 ~~powers, duties, and functions are transferred by a **type 1** transfer to the~~  
16 ~~department of agriculture~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
18 FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

19 (3) The state department of agriculture and the office of  
20 commissioner of agriculture, created by IN article 1 of title 35, ~~C.R.S., and~~  
21 ~~their powers, duties, and functions are transferred by a **type 2** transfer to~~  
22 ~~the department of agriculture~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN  
23 SECTION 24-1-105.

24 (4) The department of agriculture ~~shall consist~~ CONSISTS of the  
25 following divisions:

26 (a) THE division of markets, the head of which ~~shall be~~ IS the  
27 director of the division of markets. The division of markets and the office

1 of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN article 1 of title 35, C.R.S.,  
2 ~~and their powers, duties, and functions are transferred by a type 2 transfer~~  
3 ~~to the department of agriculture as the division of markets~~ ARE TYPE 2  
4 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
5 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
6 DEPARTMENT OF AGRICULTURE.

7 (b) THE division of plant industry, the head of which ~~shall be~~ is  
8 the director of the division of plant industry. The division of plant  
9 industry and the office of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN  
10 article 1 of title 35, C.R.S., ~~and their powers, duties, and functions are~~  
11 ~~transferred by a type 2 transfer to the department of agriculture as the~~  
12 ~~division of plant industry~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION  
13 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
14 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

15 (c) (I) THE division of animal ~~industry~~ HEALTH, the head of which  
16 ~~shall be~~ is the director of the division of animal ~~industry~~ HEALTH. The  
17 division of animal ~~industry~~ HEALTH and the office of ~~chief~~ THE DIRECTOR  
18 thereof, created ~~by~~ IN article 1 of title 35, C.R.S., ~~and their powers, duties,~~  
19 ~~and functions are transferred by a type 2 transfer to the department of~~  
20 ~~agriculture as the division of animal industry~~ ARE TYPE 2 ENTITIES, AS  
21 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND  
22 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
23 AGRICULTURE.

24 (II) The state bureau of animal protection, created ~~by~~ IN article 42  
25 of title 35, C.R.S., ~~and its powers, duties, and functions are transferred by~~  
26 ~~a type 2 transfer to the department of agriculture and allocated to the~~  
27 ~~division of animal industry as a section thereof~~ THE STATE BUREAU OF



1 ANIMAL PROTECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
2 24-1-105. THE STATE BUREAU OF ANIMAL PROTECTION SHALL EXERCISE  
3 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
4 DEPARTMENT OF AGRICULTURE AND IS ALLOCATED TO THE DIVISION OF  
5 ANIMAL INDUSTRY AS A SECTION THEREOF.

6 (d) ~~Division of~~ THE administrative services DIVISION, the head of  
7 which ~~shall be~~ IS the director of THE administrative services division. The  
8 division of administrative services and the office of ~~chief~~ THE DIRECTOR  
9 thereof, created ~~by~~ IN article 1 of title 35, C.R.S., and their powers, duties,  
10 and functions are transferred by a **type 2** transfer to the department of  
11 agriculture as the division of administrative services ARE **TYPE 2** ENTITIES,  
12 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS  
13 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
14 AGRICULTURE.

15 (e) THE division of inspection and consumer services, the head of  
16 which ~~shall be~~ IS the director of THE DIVISION OF inspection and consumer  
17 services. ~~division.~~ The division of inspection and consumer services and  
18 the office of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN article 1 of title  
19 35, C.R.S., and their powers, duties, and functions are transferred by a  
20 **type 2** transfer to the department of agriculture as the division of  
21 inspection and consumer services. ARE **TYPE 2** ENTITIES, AS DEFINED IN  
22 SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
23 THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

24 (g) (I) THE division of brand inspection, the head of which ~~shall~~  
25 ~~be~~ IS the brand commissioner. The state board of stock inspection  
26 commissioners and the office of brand commissioner, created ~~by~~ IN article  
27 41 of title 35, C.R.S., and their powers, duties, and functions are

1 ~~transferred by a type 1 transfer to the department of agriculture as a part~~  
2 ~~of the division of brand inspection~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN  
3 SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
4 THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE  
5 AS A PART OF THE DIVISION OF BRAND INSPECTION.

6 (h) (I) The Colorado state fair authority, the head of which ~~shall~~  
7 ~~be~~ IS the manager of the Colorado state fair and industrial exposition. The  
8 Colorado state fair authority and the office of THE manager of the  
9 Colorado state fair and industrial exposition, created ~~by~~ IN part 4 of article  
10 65 of title 35, C.R.S., ~~shall exercise their powers duties and functions as~~  
11 ~~a division of the department of agriculture as if the same were transferred~~  
12 ~~by a type 1 transfer to the department of agriculture~~ ARE **TYPE 1** ENTITIES,  
13 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS  
14 AND PERFORM THEIR DUTIES AND FUNCTIONS AS A DIVISION OF THE  
15 DEPARTMENT OF AGRICULTURE.

16 (II) The Colorado state fair authority ~~shall include~~ INCLUDES the  
17 board of commissioners of the Colorado state fair authority, created ~~by~~ IN  
18 part 4 of article 65 of title 35. C.R.S., ~~which~~ THE BOARD OF  
19 COMMISSIONERS OF THE COLORADO STATE FAIR AUTHORITY IS A **TYPE 1**  
20 ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
21 and perform its duties and functions as specified by law under the  
22 department of agriculture as a part of the Colorado state fair authority. ~~as~~  
23 ~~if the same were transferred by a type 1 transfer.~~

24 (i) The state conservation board, created in article 70 of title 35.  
25 C.R.S. All its powers, duties, and functions are transferred by a **type 1**  
26 ~~transfer to the department of agriculture as a division thereof~~ THE STATE  
27 CONSERVATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

1 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
2 FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE AS A DIVISION  
3 THEREOF. The employees of the state conservation board appointed  
4 pursuant to section 35-70-103 ~~(5)(g), C.R.S.,~~ are transferred to the  
5 department of agriculture. ~~by a type 2 transfer.~~

6 (5) The Colorado wine industry development board, created ~~by~~ IN  
7 article 29.5 of title 35, ~~C.R.S., and its powers, duties, and functions are~~  
8 ~~transferred as if by a type 1 transfer to the department of agriculture~~ IS A  
9 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
10 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
11 DEPARTMENT OF AGRICULTURE.

12 (6) The aquaculture board, created ~~by~~ IN article 24.5 of title 35,  
13 ~~C.R.S.,~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall  
14 exercise its powers and perform its duties and functions as specified by  
15 law under the department of agriculture and the ~~executive director~~  
16 COMMISSIONER thereof. ~~as if the same were transferred to the department~~  
17 ~~by a type 2 transfer.~~

18 (7) The Colorado agricultural value-added development board,  
19 created in section 35-75-203, ~~C.R.S.,~~ IS A **TYPE 1** ENTITY, AS DEFINED IN  
20 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
21 and functions as specified by law under the department. ~~as if the same~~  
22 ~~were transferred to the department by a type 1 transfer.~~

23 **SECTION 143.** In Colorado Revised Statutes, 35-1-105, **amend**  
24 (1)(a) as follows:

25 **35-1-105. State agricultural commission - creation -**  
26 **composition.** (1) (a) There is ~~hereby~~ created the state agricultural  
27 commission, referred to in this ~~article~~ ARTICLE 35 as the "commission",

1    which ~~shall consist~~ CONSISTS of nine members ~~each of whom shall be~~  
2    appointed by the governor, with the consent of the senate, for terms of  
3    four years each. Of such members, one member ~~shall~~ MUST be appointed  
4    from each of the four agricultural districts, as defined in ~~paragraph (c) of~~  
5    ~~this subsection (1)~~ SUBSECTION (1)(c) OF THIS SECTION, and five members  
6    ~~shall~~ MUST be appointed from the state at large; except that no more than  
7    three members ~~shall~~ MAY be appointed from any one agricultural district.  
8    No more than five of the nine members ~~shall~~ MAY be members of the  
9    same political party. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN  
10   SECTION 24-1-105.

11            **SECTION 144.** In Colorado Revised Statutes, **amend** 35-1-108  
12   as follows:

13            **35-1-108. Divisions created.** There is ~~hereby~~ created in the  
14   department an administrative services division, a division of plant  
15   industry, a division of animal ~~industry~~ HEALTH, a division of markets, and  
16   a division of inspection and consumer services. THESE DIVISIONS ARE  
17   **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

18            **SECTION 145.** In Colorado Revised Statutes, 35-24.5-104,  
19   **amend** (6) as follows:

20            **35-24.5-104. Aquaculture board.** (6) The board IS A **TYPE 2**  
21   ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
22   and perform its duties and functions specified in this ~~article~~ ARTICLE 24.5  
23   under the department and the executive director thereof. ~~as if the same~~  
24   ~~were transferred to the department by a type 2 transfer, as such transfer~~  
25   ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
26   ~~title 24, C.R.S.~~

27            **SECTION 146.** In Colorado Revised Statutes, 35-29.5-103,

1     **amend** (1) as follows:

2             **35-29.5-103. Colorado wine industry development board -**  
3     **creation - members.** (1) There is ~~hereby~~ established a Colorado wine  
4     industry development board in the department of agriculture for the  
5     purpose of encouraging and promoting viticultural and enological  
6     research and experimentation to develop maximum yields and quality  
7     from Colorado lands suitable to the production of grapes for commercial  
8     wine production, to promote the marketing of wines and wine grapes  
9     produced in Colorado, to promote the responsible consumption of all  
10    wines, to promote the integration of the Colorado wine industry as a  
11    component of the state's tourism program, and to serve as a resource for  
12    the entire wine industry of Colorado. The board IS A **TYPE 1** ENTITY, AS  
13    DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
14    its duties and functions specified by this ~~article~~ ARTICLE 29.5 under the  
15    department of agriculture. ~~as if the same were transferred to the~~  
16    ~~department by a type 1 transfer, as such transfer is defined in the~~  
17    ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

18             **SECTION 147.** In Colorado Revised Statutes, 35-41-101, **amend**  
19     (4) as follows:

20             **35-41-101. State board of stock inspection commissioners -**  
21     **creation - brand commissioner - enterprise - bonds.** (4) The state  
22     board of stock inspection commissioners and the office of brand  
23     commissioner created by IN this section ~~shall comprise a part of~~ ARE PART  
24     OF the division of brand inspection in the department of agriculture. THE  
25     STATE BOARD OF STOCK INSPECTION COMMISSIONERS AND THE OFFICE OF  
26     BRAND COMMISSIONER ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION  
27     24-1-105.

1           **SECTION 148.** In Colorado Revised Statutes, **amend** 35-42-105  
2 as follows:

3           **35-42-105. State bureau of animal protection - creation.** There  
4 is ~~hereby~~ created IN THE DEPARTMENT OF AGRICULTURE the state bureau  
5 of animal protection, referred to in this ~~article~~ ARTICLE 42 as the "bureau".  
6 THE BUREAU IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

7           **SECTION 149.** In Colorado Revised Statutes, 35-65-401, **amend**  
8 (1)(a) and (2)(b) as follows:

9           **35-65-401. Colorado state fair authority - creation - board -**  
10 **powers and duties.** (1) (a) The Colorado state fair authority, as it existed  
11 prior to June 30, 1997, is abolished. There is ~~hereby~~ created the Colorado  
12 state fair authority ~~which is created within~~ IN the department of  
13 agriculture as a division thereof. The Colorado state fair authority IS A  
14 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
15 powers AND PERFORM ITS duties and functions under the department of  
16 agriculture. ~~as if it were transferred to said department by a type 1~~  
17 ~~transfer under the provisions of the "Administrative Organization Act of~~  
18 ~~1968".~~

19           (2) (b) There is ~~hereby~~ created the board of commissioners of the  
20 Colorado state fair authority, which ~~shall have~~ CONSISTS OF eleven  
21 members, ten of whom ~~shall be~~ ARE appointed by the governor with the  
22 consent of the senate and one who ~~shall be~~ IS the commissioner of  
23 agriculture or his or her designee. At no time ~~shall~~ MAY more than six  
24 members of the board be affiliated with the same political party as the  
25 governor. ~~Within thirty days after June 30, 1997, the governor shall~~  
26 ~~appoint the initial members of the board. The governor may appoint, as~~  
27 ~~a member of the board, any person who was a member of the board prior~~

1 ~~to its termination.~~ THE BOARD OF COMMISSIONERS OF THE COLORADO  
2 STATE FAIR AUTHORITY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
3 24-1-105.

4 **SECTION 150.** In Colorado Revised Statutes, 35-65-403, **amend**  
5 (2) as follows:

6 **35-65-403. Office of manager of the Colorado state fair**  
7 **authority - creation.** (2) The manager ~~shall be~~ is the chief  
8 administrative head of the Colorado state fair authority under the  
9 direction and supervision of the board; ~~and shall have~~ HAS general  
10 supervision and control of all activities, functions, and employees of the  
11 Colorado state fair authority; and shall exercise all necessary powers  
12 incident thereto. The manager shall exercise all the powers and functions  
13 of the board in the interim of its meetings and shall perform such other  
14 duties as ~~may be~~ prescribed by the board or by law. THE OFFICE OF  
15 MANAGER IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

16 **SECTION 151.** In Colorado Revised Statutes, 35-70-103, **amend**  
17 (1)(a) introductory portion as follows:

18 **35-70-103. State conservation board - composition - powers.**  
19 (1) (a) There is ~~hereby~~ created in the department of agriculture the state  
20 conservation board, referred to in this ~~article~~ ARTICLE 70 as the "state  
21 board", which ~~shall consist~~ CONSISTS of nine members. THE STATE BOARD  
22 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. One member ~~shall~~  
23 OF THE STATE BOARD MUST be a qualified elector of the state appointed  
24 by the governor from the state at large for a term commencing January 1,  
25 1974. The remaining eight positions on the state board shall be filled by  
26 elections held within the areas described in this section. The boards of  
27 supervisors of local conservation districts within each such area shall

1 elect the number of members specified in this subsection (1) between  
2 November 1 and December 31 in 1973 for terms commencing January 1,  
3 1974, and within such dates in succeeding years as necessary to fill  
4 expiring terms. A candidate ~~shall~~ MUST be or ~~shall~~ have been an elected  
5 supervisor of a local conservation district. The number of members to be  
6 elected and the areas from which they are to be elected are as follows:

7 **SECTION 152.** In Colorado Revised Statutes, 35-75-203, **amend**  
8 (1) as follows:

9 **35-75-203. Colorado agricultural value-added development**  
10 **board - creation - members.** (1) There is hereby created ~~within~~ IN the  
11 department the Colorado agricultural value-added development board for  
12 the purpose of encouraging and promoting agricultural business projects  
13 that add value to agricultural products and aid the economies of rural  
14 communities. THE COLORADO AGRICULTURAL VALUE-ADDED  
15 DEVELOPMENT BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
16 24-1-105.

17 *<{Department of Natural Resources}>*

18 **SECTION 153.** In Colorado Revised Statutes, 24-1-124, **amend**  
19 (2), (2.1) introductory portion, (2.1)(a), (2.1)(c), (3)(a), (3)(b), (3)(d),  
20 (3)(e) introductory portion, (3)(e)(I), (3)(e)(II), (3)(e)(III), (3)(f), (3)(j),  
21 (3)(k), (4) introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d) as  
22 follows:

23 **24-1-124. Department of natural resources - creation -**  
24 **divisions.** (2) The office of ~~natural resources coordinator~~ THE EXECUTIVE  
25 DIRECTOR, created by IN article 33 of this title, ~~and its powers, duties, and~~  
26 ~~functions are transferred by a type 2 transfer to the department of natural~~  
27 ~~resources~~ TITLE 24, IS A **TYPE 2** ENTITY AS DEFINED IN SECTION 24-1-105,



1 AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
2 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES.

3 (2.1) The department of natural resources ~~shall include~~ INCLUDES,  
4 as a part of the office of the executive director:

5 (a) The office of commissioner of mines, created ~~by~~ IN section 1  
6 of article XVI of the state constitution. ~~Its powers, duties, and functions~~  
7 ~~are transferred by a type 2 transfer to the office of the executive director~~  
8 ~~of the department of natural resources.~~ THE OFFICE OF COMMISSIONER OF  
9 MINES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
10 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
11 THE DEPARTMENT OF NATURAL RESOURCES.

12 (c) The Colorado avalanche information center, created pursuant  
13 to section 24-33-116. ~~The powers, duties, and functions are transferred by~~  
14 ~~a type 2 transfer to the department of natural resources, and allocated to~~  
15 ~~the office of the executive director~~ COLORADO AVALANCHE INFORMATION  
16 CENTER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
17 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
18 THE DEPARTMENT OF NATURAL RESOURCES.

19 (3) The department of natural resources consists of the following  
20 divisions:

21 (a) THE division of water resources, the head of which ~~shall be~~ IS  
22 the state engineer, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

23 (b) The Colorado water conservation board and the office of  
24 director thereof, created ~~by~~ IN article 60 of title 37. ~~C.R.S. Their powers,~~  
25 ~~duties, and functions are transferred by a type 1 transfer to the department~~  
26 ~~of natural resources as a division thereof.~~ THE COLORADO WATER  
27 CONSERVATION BOARD AND THE OFFICE OF THE DIRECTOR ARE **TYPE 1**

1 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
2 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
3 DEPARTMENT OF NATURAL RESOURCES AS A DIVISION THEREOF.

4 (d) The state board of land commissioners, created ~~by~~ IN section  
5 9 of article IX of the state constitution. ~~Its powers, duties, and functions~~  
6 ~~are transferred by a type 1 transfer to the department of natural resources~~  
7 ~~as a division thereof, subject to the state constitution.~~ THE STATE BOARD  
8 OF LAND COMMISSIONERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
9 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
10 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A  
11 DIVISION THEREOF, SUBJECT TO THE STATE CONSTITUTION.

12 (e) The division of reclamation, mining, and safety, created ~~by~~ IN  
13 section 34-20-103, ~~C.R.S.~~, the head of which ~~shall be~~ IS the director of the  
14 division of reclamation, mining, and safety, under the supervision of the  
15 executive director of the department of natural resources. ~~Said~~ THE  
16 division and director ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
17 24-1-105, AND shall exercise their powers AND PERFORM THEIR duties and  
18 functions as prescribed by law under the department of natural resources  
19 and the executive director thereof. ~~as if the same were transferred to the~~  
20 ~~department by a type 2 transfer.~~ The division of reclamation, mining, and  
21 safety ~~shall include~~ INCLUDES the following:

22 (I) The coal mine board of examiners, created ~~by~~ IN article 22 of  
23 title 34. ~~C.R.S. Its powers, duties, and functions are transferred by a type~~  
24 ~~2 transfer to the department of natural resources as a section of the~~  
25 ~~division of reclamation, mining, and safety.~~ THE COAL MINE BOARD OF  
26 EXAMINERS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
27 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS

1 UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A SECTION OF THE  
2 DIVISION OF RECLAMATION, MINING, AND SAFETY.

3 (II) The mined land reclamation board and the office of mined  
4 land reclamation, created ~~by~~ IN article 32 of title 34. ~~C.R.S.~~ The mined  
5 land reclamation board ~~and its powers, duties, and functions are~~  
6 ~~transferred by a type 1 transfer to the department of natural resources,~~  
7 ~~and allocated to the division of reclamation, mining, and safety~~ IS A **TYPE**  
8 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
9 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
10 DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE  
11 DIVISION OF RECLAMATION, MINING, AND SAFETY. The office of mined  
12 land reclamation ~~shall exercise its powers, duties, and functions as if the~~  
13 ~~same were transferred to the department of natural resources and~~  
14 ~~allocated to the division of reclamation, mining, and safety as a section~~  
15 ~~thereof. by a type 2 transfer~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
16 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
17 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS  
18 ALLOCATED TO THE DIVISION OF RECLAMATION, MINING, AND SAFETY AS  
19 A SECTION THEREOF.

20 (III) The office of active and inactive mines, created ~~by~~ IN article  
21 21 of title 34. ~~C.R.S.~~ ~~Said office shall exercise its powers duties and~~  
22 ~~functions as prescribed by law under the division of reclamation, mining,~~  
23 ~~and safety as if the same were transferred to the department of natural~~  
24 ~~resources and allocated to the division of reclamation, mining, and safety~~  
25 ~~as a section thereof by a type 2 transfer~~ THE OFFICE OF ACTIVE AND  
26 INACTIVE MINES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,  
27 AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND

1 FUNCTIONS AS PRESCRIBED BY LAW UNDER THE DEPARTMENT OF NATURAL  
2 RESOURCES AND IS ALLOCATED TO THE DIVISION OF RECLAMATION,  
3 MINING, AND SAFETY AS A SECTION THEREOF.

4 (f) The oil and gas conservation commission of the state of  
5 Colorado and the office of the director thereof, created ~~by~~ IN article 60 of  
6 title 34. ~~C.R.S. Said commission and office and the powers, duties, and~~  
7 ~~functions thereof are transferred by a type 1 transfer to the department of~~  
8 ~~natural resources as a division thereof~~ THE OIL AND GAS CONSERVATION  
9 COMMISSION OF THE STATE OF COLORADO AND THE OFFICE OF THE  
10 DIRECTOR ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
11 SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
12 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A  
13 DIVISION THEREOF.

14 (j) The division of forestry, created in section 24-33-201 (1), the  
15 head of which ~~shall be~~ IS the state forester, appointed pursuant to section  
16 23-31-207. ~~C.R.S. The division of forestry and the state forester shall~~  
17 ~~exercise their powers, duties, and functions as prescribed by law under~~  
18 ~~the department of natural resources and the executive director thereof as~~  
19 ~~if the same were transferred to the department by a type 2 transfer~~ ARE  
20 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
21 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS  
22 PRESCRIBED BY LAW UNDER THE DEPARTMENT OF NATURAL RESOURCES  
23 AND THE EXECUTIVE DIRECTOR THEREOF.

24 (k) (I) (A) The parks and wildlife commission, created in article  
25 9 of title 33. ~~C.R.S. The powers, duties, and functions of the PARKS AND~~  
26 WILDLIFE COMMISSION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF  
27 THE wildlife commission and the board of parks and outdoor recreation.

1 ~~are transferred by a **type 1** transfer to the parks and wildlife commission~~  
2 ~~as powers, duties, and functions of the parks and wildlife commission.~~  
3 THE PARKS AND WILDLIFE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED  
4 IN SECTION 24-1-105.

5 (B) The parks and wildlife commission includes, as an advisory  
6 council, the Colorado natural areas council created ~~by~~ IN article 33 of title  
7 33. ~~C.R.S.~~

8 (II) (A) The division of parks and wildlife, the head of which is  
9 the director of the division of parks and wildlife, CREATED IN SECTION  
10 33-9-104. The division of parks and wildlife and the office of the director  
11 of the division of parks and wildlife ~~are transferred by a **type 1** transfer~~  
12 ~~to the department of natural resources~~ ARE **TYPE 1** ENTITIES, AS DEFINED  
13 IN SECTION 24-1-105.

14 (B) The division of parks and wildlife includes the fish health  
15 board created ~~by~~ IN article 5.5 of title 33. ~~C.R.S.~~ The fish health board IS  
16 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
17 powers and perform its duties and functions as specified by law under the  
18 department of natural resources and the executive director of the  
19 department of natural resources. ~~as if the same were transferred to the~~  
20 ~~department by a **type 2** transfer.~~

21 (4) The division of water resources ~~shall include~~ INCLUDES the  
22 following:

23 (a) The office of THE state engineer, created ~~by~~ IN article 80 of  
24 title 37. ~~C.R.S. Said office and its powers, duties, and functions are~~  
25 ~~transferred by a **type 1** transfer to the department of natural resources,~~  
26 ~~and allocated to the division of water resources as a section thereof~~ THE  
27 OFFICE OF THE STATE ENGINEER IS A **TYPE 1** ENTITY, AS DEFINED IN

1 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
2 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES  
3 AND IS ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION  
4 THEREOF.

5 (b) The division engineers, created ~~by~~ IN part 2 of article 92 of  
6 title 37. ~~C.R.S. Said engineers and their powers, duties, and functions are~~  
7 ~~transferred by a type 1 transfer to the department of natural resources,~~  
8 ~~and allocated to the division of water resources as a section thereof~~ THE  
9 DIVISION ENGINEERS ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION  
10 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
11 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES  
12 AND ARE ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A  
13 SECTION THEREOF.

14 (c) The ground water commission, created ~~by~~ IN article 90 of title  
15 37. ~~C.R.S. Said commission and its powers, duties, and functions are~~  
16 ~~transferred by a type 1 transfer to the department of natural resources,~~  
17 ~~and allocated to the division of water resources as a section thereof~~ THE  
18 GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
19 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
20 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS  
21 ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION  
22 THEREOF.

23 (d) The state board of examiners of water well construction and  
24 pump installation contractors, created ~~by~~ IN article 91 of title 37. ~~C.R.S.~~  
25 ~~Said board and its powers, duties, and functions are transferred by a type~~  
26 ~~1 transfer to the department of natural resources and allocated to the~~  
27 ~~division of water resources as a section thereof~~ THE STATE BOARD OF

1 EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP INSTALLATION  
2 CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
3 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
4 UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO  
5 THE DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

6 **SECTION 154.** In Colorado Revised Statutes, 24-33-116, **amend**  
7 (1) as follows:

8 **24-33-116. Colorado avalanche information center - creation**  
9 **- duties - fund - repeal.** (1) There is ~~hereby~~ created in the department of  
10 natural resources IN THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE  
11 DEPARTMENT, the Colorado avalanche information center to promote  
12 safety by reducing the impact of avalanches on recreation, industry, and  
13 transportation in the state through a program of avalanche forecasting and  
14 education. THE COLORADO AVALANCHE INFORMATION CENTER IS A **TYPE**  
15 **2** ENTITY, AS DEFINED IN SECTION 24-1-105.

16 **SECTION 155.** In Colorado Revised Statutes, 24-33-201, **amend**  
17 (1) as follows:

18 **24-33-201. Division of forestry - creation - state forest service**  
19 **agreement.** (1) There is ~~hereby~~ created the division of forestry in the  
20 department of natural resources. THE DIVISION OF FORESTRY IS A **TYPE 2**  
21 ENTITY, AS DEFINED IN SECTION 24-1-105. The executive director of the  
22 department of natural resources shall enter into an agreement with  
23 Colorado state university, through the board of governors of the Colorado  
24 state university system, to cooperate in the state's efforts to improve the  
25 management and health of Colorado's forests and to provide staff for the  
26 division of forestry.

27 **SECTION 156.** In Colorado Revised Statutes, 33-5.5-101,

1     **amend** (6) as follows:

2             **33-5.5-101. Fish health board - created.** (6) The fish health  
3     board IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall  
4     exercise its powers and perform its duties and functions specified in this  
5     ~~article~~ ARTICLE 5.5 under the department and the executive director  
6     thereof. ~~as if the same were transferred to the department by a type 2~~  
7     ~~transfer, as such transfer is defined in the "Administrative Organization~~  
8     ~~Act of 1968", article 1 of title 24, C.R.S.~~

9             **SECTION 157.** In Colorado Revised Statutes, 33-9-101, **amend**  
10    (9) as follows:

11            **33-9-101. Commission - creation - composition - terms -**  
12    **vacancies - removal - meetings - strategic plan - legislative**  
13    **declaration.** (9) The commission IS A **TYPE 1** ENTITY, AS DEFINED IN  
14    SECTION 24-1-105, AND shall exercise its powers and perform its duties  
15    and functions under the department and the executive director of the  
16    department. ~~as if the same were transferred to the department by a type~~  
17    ~~1 transfer, as defined in the "Administrative Organization Act of 1968",~~  
18    ~~article 1 of title 24, C.R.S.~~

19            **SECTION 158.** In Colorado Revised Statutes, 33-9-104, **amend**  
20    (2) as follows:

21            **33-9-104. Division of parks and wildlife - creation - duties.**  
22    (2) The division IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,  
23    AND shall exercise its powers and perform its duties and functions  
24    specified in this ~~title~~ TITLE 33 under the department of natural resources  
25    and the executive director thereof. ~~as if the same were transferred to the~~  
26    ~~department by a type 1 transfer as defined in the "Administrative~~  
27    ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~ The division has



1 all the powers, duties, obligations, and functions previously exercised by  
2 the division of wildlife or the division of parks and outdoor recreation, as  
3 those divisions existed on June 30, 2011.

4 **SECTION 159.** In Colorado Revised Statutes, 34-20-103, **amend**  
5 (1) as follows:

6 **34-20-103. Division of reclamation, mining, and safety -**  
7 **creation - powers and duties - transfer of functions and property -**  
8 **change of statutory references.** (1) There is ~~hereby~~ created the division  
9 of reclamation, mining, and safety in the department of natural resources.  
10 Pursuant to section 13 of article XII of the state constitution, the  
11 executive director of the department of natural resources shall appoint the  
12 director of the division of reclamation, mining, and safety, and the  
13 director shall appoint such employees as are necessary to carry out the  
14 duties and exercise the powers conferred by law upon the division and the  
15 director. Appointing authority for such employees may be delegated by  
16 the director to the heads of the offices in the division as appropriate. THE  
17 DIVISION OF RECLAMATION, MINING, AND SAFETY AND THE DIRECTOR OF  
18 THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
19 SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
20 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES.

21 **SECTION 160.** In Colorado Revised Statutes, 34-21-101, **amend**  
22 (1) introductory portion as follows:

23 **34-21-101. Office of active and inactive mines - creation -**  
24 **duties.** (1) There is ~~hereby~~ created in the division of reclamation, mining,  
25 and safety in the department of natural resources the office of active and  
26 inactive mines, the head of which ~~shall be~~ is appointed by the director of  
27 the division. THE OFFICE OF ACTIVE AND INACTIVE MINES IS A **TYPE 2**

1 ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
2 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
3 DEPARTMENT OF NATURAL RESOURCES. The office ~~shall have~~ HAS the  
4 following duties:

5 **SECTION 161.** In Colorado Revised Statutes, 34-22-102, **add** (5)  
6 as follows:

7 **34-22-102. Board of examiners - created - duties - members.**

8 (5) THE COAL MINE BOARD OF EXAMINERS IS A **TYPE 2** ENTITY, AS  
9 DEFINED IN SECTION 24-1-105.

10 **SECTION 162.** In Colorado Revised Statutes, 34-32-105, **amend**  
11 (1) and (3) as follows:

12 **34-32-105. Office of mined land reclamation - mined land**  
13 **reclamation board - created.** (1) There is ~~hereby~~ created, in the division  
14 of reclamation, mining, and safety in the department of natural resources,  
15 the office of mined land reclamation and, in the department of natural  
16 resources, the mined land reclamation board. The head of the office of  
17 mined land reclamation ~~shall be~~ IS appointed by the director. The head of  
18 the office of mined land reclamation ~~shall~~ MUST have professional and  
19 supervisory experience in mined land reclamation, mining, or natural  
20 resource planning and management. THE OFFICE OF MINED LAND  
21 RECLAMATION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

22 (3) The MINED LAND RECLAMATION board IS A **TYPE 1** ENTITY, AS  
23 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
24 its duties and functions specified in this ~~article~~ ARTICLE 32 under the  
25 department. ~~as if the same were transferred to the department by a type~~  
26 ~~1 transfer as such transfer is defined in the "Administrative Organization~~  
27 ~~Act of 1968", article 1 of title 24, C.R.S.~~

1           **SECTION 163.** In Colorado Revised Statutes, 34-60-104.3,  
2   **amend** (1) as follows:

3           **34-60-104.3. Oil and gas conservation commission - report -**  
4   **publication.** (1) There is ~~hereby~~ created, in the department of natural  
5   resources, the oil and gas conservation commission. THE OIL AND GAS  
6   CONSERVATION COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
7   24-1-105.

8           **SECTION 164.** In Colorado Revised Statutes, 34-60-104.5,  
9   **amend** (1) as follows:

10          **34-60-104.5. Director of commission - duties.** (1) Pursuant to  
11   section 13 of article XII of the state constitution, the executive director of  
12   the department of natural resources shall appoint a director of the  
13   commission who ~~shall~~ **MUST** possess such qualifications as may be  
14   established by the executive director, the commission, and the state  
15   personnel board. THE DIRECTOR OF THE COMMISSION IS A **TYPE 1** ENTITY,  
16   AS DEFINED IN SECTION 24-1-105.

17          **SECTION 165.** In Colorado Revised Statutes, **amend** 37-60-102  
18   as follows:

19          **37-60-102. Colorado water conservation board - creation.** For  
20   the purpose of aiding in the protection and development of the waters of  
21   the state AND for the benefit of the present and future inhabitants of the  
22   state, there is created a Colorado water conservation board with the  
23   powers and duties set out in this ~~article. Said~~ ARTICLE 60. The board is  
24   ~~declared to be~~ an agency of the state, and the functions it is to perform,  
25   as set out in this ~~article~~ ARTICLE 60, are ~~declared to be~~ governmental  
26   functions for the welfare and benefit of the state and its inhabitants. THE  
27   COLORADO WATER CONSERVATION BOARD IS A DIVISION OF THE

1 DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS  
2 DEFINED IN SECTION 24-1-105.

3 **SECTION 166.** In Colorado Revised Statutes, **add** 37-80-101.5  
4 as follows:

5 **37-80-101.5. Office of the state engineer.** THE OFFICE OF THE  
6 STATE ENGINEER IS CREATED IN THE DIVISION OF WATER RESOURCES IN  
7 THE DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS  
8 DEFINED IN SECTION 24-1-105.

9 **SECTION 167.** In Colorado Revised Statutes, 37-90-104, **amend**  
10 (1) as follows:

11 **37-90-104. Commission - organization - expenses.** (1) There is  
12 created a ground water commission to consist of twelve members, nine  
13 of whom shall be appointed by the governor and confirmed by the senate.  
14 THE GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN  
15 SECTION 24-1-105.

16 **SECTION 168.** In Colorado Revised Statutes, 37-91-103, **amend**  
17 (1) as follows:

18 **37-91-103. State board of examiners of water well**  
19 **construction and pump installation contractors.** (1) There is created,  
20 ~~under~~ IN the division of water resources in the department of natural  
21 resources, a state board of examiners of water well construction and pump  
22 installation contractors, consisting of five members and comprised of the  
23 following persons: The state engineer or a representative designated by  
24 ~~him~~ THE STATE ENGINEER; a representative of the department of PUBLIC  
25 health AND ENVIRONMENT designated by the executive director of the  
26 department; and three members appointed by the governor, two of whom  
27 ~~shall~~ MUST be well construction contractors or pump installation

1 contractors, each with a minimum of ten years' experience in the well  
2 construction or pump installation business preceding ~~his~~ THE  
3 INDIVIDUAL'S appointment, and one of whom ~~shall~~ MUST be an engineer  
4 or geologist with a minimum of ten years' experience in water supply and  
5 well construction preceding ~~his~~ THE INDIVIDUAL'S appointment. THE  
6 STATE BOARD OF EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP  
7 INSTALLATION CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
8 24-1-105.

9 **SECTION 169.** In Colorado Revised Statutes, 37-92-202, **amend**  
10 (1)(a) as follows:

11 **37-92-202. Division engineers.** (1) (a) The state engineer, with  
12 the approval of the executive director of the department of natural  
13 resources, shall appoint one division engineer for each division. THE  
14 DIVISION ENGINEERS ARE ALLOCATED TO THE DIVISION OF WATER  
15 RESOURCES AS A SECTION OF THE DIVISION. THE DIVISION ENGINEERS ARE  
16 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. Each division  
17 engineer ~~shall~~ MUST be a licensed professional engineer and ~~shall~~ MUST  
18 have such additional qualifications as may be specified from time to time  
19 by the state engineer. The state engineer, with the approval of said  
20 executive director, may employ such assistants and staff members as are  
21 necessary to enable each division engineer to carry out ~~his or her~~ THE  
22 DIVISION ENGINEER'S duties.

23 *<{Department of Local Affairs}>*

24 **SECTION 170.** In Colorado Revised Statutes, 24-1-125, **amend**  
25 (2) introductory portion, (2)(a), (2)(b), (2)(c)(I), (2)(f), (2)(g), (2)(i),  
26 (2)(k), (3), and (4); and **add** (10) and (11) as follows:

27 **24-1-125. Department of local affairs - creation.** (2) The

1 department of local affairs ~~shall consist~~ CONSISTS of the following  
2 divisions:

3 (a) (I) THE division of local government, the head of which ~~shall~~  
4 ~~be~~ IS the director of local government. The division of local government  
5 and the office of the director ~~thereof~~ OF LOCAL GOVERNMENT, created by  
6 IN part 1 of article 32 of this title 24, ~~and their powers, duties, and~~  
7 ~~functions are transferred by a type 2 transfer to the department of local~~  
8 ~~affairs as the division of local government~~ ARE **TYPE 2** ENTITIES, AS  
9 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND  
10 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
11 LOCAL AFFAIRS.

12 (II) The division of local government includes the Colorado  
13 resiliency office, the head of which is the director of the Colorado  
14 resiliency office. The Colorado resiliency office ~~exercises its powers,~~  
15 ~~duties, and functions under the division and the department as~~ IS a **type**  
16 **2** entity, as defined in section 24-1-105, AND SHALL EXERCISE ITS POWERS  
17 AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF LOCAL  
18 GOVERNMENT AND THE DEPARTMENT OF LOCAL AFFAIRS.

19 (b) THE division of property taxation, the head of which ~~shall be~~  
20 IS the property tax administrator, ~~The rule-making, administrative, and~~  
21 ~~enforcement powers, duties, and functions, except as provided in~~  
22 ~~subsection (3) of this section, of the Colorado tax commission are~~  
23 ~~transferred by a type 1 transfer to the department of local affairs, and said~~  
24 ~~powers, duties, and functions shall be exercised or performed by the~~  
25 ~~property tax administrator or the division of property taxation as is~~  
26 ~~otherwise provided by law~~ CREATED IN SECTION 39-2-101. THE DIVISION  
27 OF PROPERTY TAXATION AND THE PROPERTY TAX ADMINISTRATOR ARE

1     **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. EXCEPT FOR THE  
2     POWERS, DUTIES, AND FUNCTIONS OF THE FORMER COLORADO TAX  
3     COMMISSION THAT ARE VESTED WITH THE BOARD OF ASSESSMENT APPEALS  
4     PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE POWERS, DUTIES, AND  
5     FUNCTIONS OF THE PROPERTY TAX ADMINISTRATOR AND THE DIVISION OF  
6     PROPERTY TAXATION, AS IS OTHERWISE PROVIDED IN LAW, INCLUDE THE  
7     RULE-MAKING, ADMINISTRATIVE, AND ENFORCEMENT POWERS, DUTIES,  
8     AND FUNCTIONS OF THE FORMER COLORADO TAX COMMISSION.

9           (c) (I) THE division of commerce and development, the head of  
10    which ~~shall be~~ IS the director of commerce and development. The division  
11    of commerce and development and the office of THE director thereof,  
12    created ~~by~~ IN part 3 of article 32 of this title ~~and their powers, duties, and~~  
13    ~~functions, are transferred by a type-2 transfer to the department of local~~  
14    ~~affairs as the division of commerce and development~~ TITLE 24, ARE **TYPE**  
15    **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR  
16    POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
17    DEPARTMENT OF LOCAL AFFAIRS.

18           (f) The division of housing, created ~~by~~ IN the "Colorado Housing  
19    Act of 1970", part 7 of article 32 of this title. ~~Its powers, duties, and~~  
20    ~~functions are transferred by a type-1 transfer to the department of local~~  
21    ~~affairs as a division thereof~~ TITLE 24. THE DIVISION OF HOUSING IS A **TYPE**  
22    **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
23    POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
24    DEPARTMENT OF LOCAL AFFAIRS.

25           (g) THE division of planning, the head of which ~~shall be~~ IS the  
26    director of the division of planning. The division of planning and the  
27    office of THE director, ~~thereof~~, created ~~by~~ IN part 2 of article 32 of this

1 ~~title and their powers, duties, and functions are transferred by a type 2~~  
2 ~~transfer to the department of local affairs as a division thereof~~ TITLE 24,  
3 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
4 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
5 UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

6 (i) THE office of rural development, the head of which ~~shall be~~ IS  
7 the coordinator of rural development. The office of rural development and  
8 the position of coordinator of rural development, created ~~by~~ IN part 8 of  
9 article 32 of this ~~title and their powers, duties, and functions are~~  
10 ~~transferred by a type 2 transfer to the department of local affairs~~ TITLE 24,  
11 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
12 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
13 UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

14 (k) The office of the Colorado youth service corps, created ~~by~~ IN  
15 part 20 of article 32 of this ~~title~~ TITLE 24. THE OFFICE OF THE COLORADO  
16 YOUTH SERVICE CORPS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
17 24-1-105, AND shall exercise its powers and perform its duties and  
18 functions under the department of local affairs. ~~as if the same were~~  
19 ~~transferred to said department by a type 2 transfer.~~

20 (3) The board of assessment appeals, created ~~by~~ IN article 2 of title  
21 39, ~~C.R.S., shall be~~ IS vested with the quasi-judicial powers, duties, and  
22 functions of the FORMER Colorado tax commission, ~~which board shall~~  
23 ~~constitute~~ AND CONSTITUTES a part of the department of local affairs. ~~and~~  
24 ~~said board is transferred by a type 1 transfer to the department of local~~  
25 ~~affairs~~ THE BOARD OF ASSESSMENT APPEALS IS A **TYPE 1** ENTITY, AS  
26 DEFINED IN SECTION 24-1-105.

27 (4) The advisory committee to the property tax administrator,



1 created by IN article 2 of title 39, C.R.S., ~~shall constitute~~ CONSTITUTES a  
2 part of the department of local affairs. THE ADVISORY COMMITTEE TO THE  
3 PROPERTY TAX ADMINISTRATOR IS A **TYPE 1** ENTITY, AS DEFINED IN  
4 SECTION 24-1-105, and shall exercise its powers and perform its duties  
5 and functions under the department. ~~as if it were transferred to said~~  
6 ~~department by a type 1 transfer.~~

7 (10) THE OFFICE OF SMART GROWTH, CREATED IN SECTION  
8 24-32-3203, IN THE DEPARTMENT OF LOCAL AFFAIRS IS A **TYPE 2** ENTITY,  
9 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
10 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

11 (11) THE OFFICE OF HOMELESS YOUTH SERVICES IS CREATED IN THE  
12 DEPARTMENT PURSUANT TO SECTION 24-32-723.

13 **SECTION 171.** In Colorado Revised Statutes, **amend** 24-32-103  
14 as follows:

15 **24-32-103. Division of local government - created.** There is  
16 ~~hereby~~ created, as a division of the department of local affairs, the  
17 division of local government. ~~The division shall be in the charge of a~~  
18 ~~director who shall be appointed by the~~ executive director of the  
19 department SHALL APPOINT A DIRECTOR TO BE THE HEAD OF THE DIVISION.  
20 The director and any assistants and employees of the division ~~shall be~~ ARE  
21 appointed pursuant to section 13 of article XII of the state constitution.  
22 THE DIVISION AND THE OFFICE OF THE DIRECTOR ARE **TYPE 2** ENTITIES, AS  
23 DEFINED IN SECTION 24-1-105.

24 **SECTION 172.** In Colorado Revised Statutes, 24-32-121, **amend**  
25 (1) as follows:

26 **24-32-121. Colorado resiliency office - creation - director -**  
27 **repeal.** (1) The Colorado resiliency office is created in the division of

1 local government within the department of local affairs. The head of the  
2 office is the director of the Colorado resiliency office. The director of the  
3 division of local government shall appoint the director of the office in  
4 accordance with section 13 of article XII of the state constitution. The  
5 office ~~exercises its powers~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
6 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS duties and  
7 functions under the division and the department. ~~as a type 2 entity, as~~  
8 ~~defined in section 24-1-105.~~

9 **SECTION 173.** In Colorado Revised Statutes, 24-32-202, **amend**  
10 (2) as follows:

11 **24-32-202. Division of planning - creation.** (2) The division of  
12 planning and the office of the director ~~thereof~~ OF THE DIVISION OF  
13 PLANNING ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
14 shall exercise their powers and perform their duties and functions  
15 specified by this part 2 under the department of local affairs and the  
16 executive director thereof. ~~as if the same were transferred to the~~  
17 ~~department by a type 2 transfer, as such transfer is defined in the~~  
18 ~~"Administrative Organization Act of 1968", being article 1 of this title.~~

19 **SECTION 174.** In Colorado Revised Statutes, **amend** 24-32-301  
20 as follows:

21 **24-32-301. Division of commerce and development - creation**  
22 **- director - assistants.** There is ~~hereby~~ created a division in the  
23 department of local affairs to be known as the division of commerce and  
24 development, referred to in this part 3 as the "division". The ~~division shall~~  
25 ~~be in the charge of a director, who shall be appointed by the~~ executive  
26 director of the department SHALL APPOINT A DIRECTOR OF THE DIVISION.  
27 The director shall appoint ~~such~~ assistants and clerical employees as ~~may~~

1 ~~be deemed~~ necessary to effectively administer this part 3. The director,  
2 ~~and such~~ assistants, and employees ~~shall be~~ ARE appointed pursuant to  
3 section 13 of article XII of the state constitution. THE DIVISION AND THE  
4 OFFICE OF THE DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
5 24-1-105.

6 **SECTION 175.** In Colorado Revised Statutes, 24-32-704, **amend**  
7 (2) as follows:

8 **24-32-704. Division of housing - director.** (2) The division of  
9 housing IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall  
10 exercise its powers and perform its duties and functions specified in this  
11 part 7 under the department of local affairs. ~~as if it were transferred to the~~  
12 ~~department by a type 1 transfer as such transfer is defined in the~~  
13 ~~"Administrative Organization Act of 1968", being article 1 of this title.~~

14 **SECTION 176.** In Colorado Revised Statutes, 24-32-802, **amend**  
15 (2) as follows:

16 **24-32-802. Office of rural development created.** (2) The office  
17 and the coordinator of rural development ARE **TYPE 2** ENTITIES, AS  
18 DEFINED IN SECTION 24-1-105, AND shall exercise their powers and  
19 perform their duties and functions specified in this part 8 under the  
20 department of local affairs. ~~as if the same were transferred to the~~  
21 ~~department by a type 2 transfer, as such transfer is defined in the~~  
22 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

23 **SECTION 177.** In Colorado Revised Statutes, 24-32-2004,  
24 **amend** (2) as follows:

25 **24-32-2004. Colorado youth service corps established -**  
26 **director's duties.** (2) The youth service corps IS A **TYPE 2** ENTITY, AS  
27 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform

1 its duties and functions specified in this part 20 under the department. as  
2 if the same were transferred to the department by a **type 2** transfer as such  
3 transfer is defined in the "Administrative Organization Act of 1968",  
4 article 1 of this title.

5 **SECTION 178.** In Colorado Revised Statutes, 24-32-3203,  
6 **amend** (2) as follows:

7 **24-32-3203. Office of smart growth - creation - powers and**  
8 **duties of executive director.** (2) The office OF SMART GROWTH IS A  
9 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
10 powers and perform its duties and functions specified by this part 32  
11 under the department of local affairs and the executive director thereof.  
12 as if the same were transferred to the department by a **type 2** transfer, as  
13 such transfer is defined in the "Administrative Organization Act of 1968",  
14 article 1 of this title.

15 **SECTION 179.** In Colorado Revised Statutes, **amend** 39-2-103  
16 as follows:

17 **39-2-103. Exercise of power.** The division of property taxation  
18 and the property tax administrator ARE **TYPE 1** ENTITIES, AS DEFINED IN  
19 SECTION 24-1-105, AND shall exercise their powers AND PERFORM THEIR  
20 duties and functions under the department of local affairs. as if they were  
21 transferred to said department by a **type 1** transfer under the provisions  
22 of the "Administrative Organization Act of 1968".

23 **SECTION 180.** In Colorado Revised Statutes, 39-2-123, **amend**  
24 (4) as follows:

25 **39-2-123. Board of assessment appeals created - members -**  
26 **compensation.** (4) The board of assessment appeals IS A **TYPE 1** ENTITY,  
27 AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers AND

1     PERFORM ITS duties and functions under the department of local affairs.  
2     ~~as if it were transferred to said department by a **type 1** transfer under the~~  
3     ~~provisions of the "Administrative Organization Act of 1968".~~

4             **SECTION 181.** In Colorado Revised Statutes, 39-2-129, **amend**  
5     (1) as follows:

6             **39-2-129.     Advisory committee to the property tax**  
7     **administrator created.** (1) There is hereby created in the department of  
8     local affairs the advisory committee to the property tax administrator.  
9     ~~Said~~ THE advisory committee IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
10    24-1-105, AND shall exercise its powers and perform its duties and  
11    functions under the department of local affairs. ~~as if it were transferred~~  
12    ~~to said department by a **type 1** transfer under the provisions of the~~  
13    ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~  
14    <{*Department of Military and Veterans Affairs*}>

15            **SECTION 182.** In Colorado Revised Statutes, 24-1-127, **amend**  
16    (2), (3) introductory portion, (3)(a), (3)(b), (3)(d), (3)(f), and (3)(g) as  
17    follows:

18            **24-1-127.     Department of military and veterans affairs -**  
19    **creation.** (2) The office of the adjutant general, created ~~by~~ IN part 1 of  
20    article 3 of title 28, C.R.S., ~~and its powers, duties, and functions are~~  
21    ~~transferred by a **type 2** transfer to the department of military and veterans~~  
22    ~~affairs~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
23    EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
24    THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

25            (3) The department of military and veterans affairs ~~shall consist~~  
26    CONSISTS of the following divisions:

27            (a) The Colorado National Guard, created ~~by~~ IN part 2 of article

1 3 of title 28. ~~C.R.S. Its powers, duties, and functions are transferred by a~~  
2 ~~type 2 transfer to the department of military and veterans affairs as a~~  
3 ~~division thereof.~~ THE COLORADO NATIONAL GUARD IS A **TYPE 2** ENTITY,  
4 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
5 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
6 MILITARY AND VETERANS AFFAIRS.

7 (b) The Colorado ~~department~~ DIVISION of civil air patrol, created  
8 ~~by~~ IN article 1 of title 28. ~~C.R.S. Its powers, duties, and functions are~~  
9 ~~transferred by a type 1 transfer to the department of military and veterans~~  
10 ~~affairs as the Colorado division of the civil air patrol.~~ THE COLORADO  
11 DIVISION OF CIVIL AIR PATROL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
12 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
13 FUNCTIONS UNDER THE DEPARTMENT OF MILITARY AND VETERANS  
14 AFFAIRS.

15 (d) The Colorado state defense force, when organized by the  
16 governor pursuant to article 4 of title 28. ~~C.R.S. If organized, its powers,~~  
17 ~~duties, and functions are transferred by a type 2 transfer to the department~~  
18 ~~of military and veterans affairs as a division thereof.~~ IF ORGANIZED, THE  
19 COLORADO STATE DEFENSE FORCE IS A **TYPE 2** ENTITY, AS DEFINED IN  
20 SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
21 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF MILITARY AND  
22 VETERANS AFFAIRS.

23 (f) The division of veterans affairs, created ~~by~~ IN part 7 of article  
24 5 of title 28. ~~C.R.S. Its powers, duties, and functions are transferred by a~~  
25 ~~type 2 transfer to the department of military and veterans affairs as a~~  
26 ~~division thereof~~ THE DIVISION OF VETERANS AFFAIRS IS A **TYPE 2** ENTITY,  
27 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND

1 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
2 MILITARY AND VETERANS AFFAIRS.

3 (g) The Colorado board of veterans affairs, created ~~by~~ IN section  
4 28-5-702. C.R.S. ~~Its powers, duties, and functions are transferred by a~~  
5 ~~type 2 transfer to the department of military and veterans affairs as a~~  
6 ~~division thereof~~ THE COLORADO BOARD OF VETERANS AFFAIRS IS A **TYPE**  
7 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS  
8 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE  
9 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

10 **SECTION 183.** In Colorado Revised Statutes, 28-1-101, **amend**  
11 (1)(a) as follows:

12 **28-1-101. Colorado division of civil air patrol - publication -**  
13 **benefits.** (1) (a) There is ~~hereby~~ created and established ~~within~~ IN the  
14 department of military and veterans affairs the Colorado division of civil  
15 air patrol. THE DIVISION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
16 24-1-105. The mission of the division ~~shall be~~ IS to provide support for  
17 and facilitate the operation of the civil air patrol, Colorado wing, which  
18 ~~shall be~~ IS under the command and control of the duly appointed  
19 commanding officer of ~~such~~ THE wing. On and after July 1, 2004, the  
20 head of the division ~~shall be~~ IS appointed by the adjutant general acting  
21 on behalf of the governor and in consultation with the duly appointed  
22 commanding officer of the civil air patrol, Colorado wing. Warrants ~~shall~~  
23 ~~be~~ ARE drawn against appropriations made for the division upon vouchers  
24 issued and signed by the head of the division.

25 **SECTION 184.** In Colorado Revised Statutes, 28-3-105, **amend**  
26 (1) as follows:

27 **28-3-105. Adjutant general - assistants.** (1) There ~~shall be~~ IS an

1     adjutant general of the state who ~~shall be~~ IS appointed by the governor,  
2     with the advice and consent of the senate, who ~~shall~~ MUST be a staff  
3     officer, who at the time of appointment ~~shall~~ MUST be a commissioned  
4     officer of the National Guard of this state with not fewer than ten years'  
5     military service in the armed forces of this state or of the United States at  
6     least five of which have been commissioned service in the Colorado  
7     National Guard, and who has attained the grade of lieutenant colonel or  
8     a higher grade with federal recognition in such grade at least one year  
9     prior to ~~his or her~~ THE INDIVIDUAL'S appointment as adjutant general. The  
10    adjutant general ~~shall serve~~ SERVES at the pleasure of the governor. THE  
11    ADJUTANT GENERAL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

12           **SECTION 185.** In Colorado Revised Statutes, **amend** 28-3-201  
13    as follows:

14           **28-3-201. Composition.** The Colorado National Guard consists  
15    of the regularly enlisted militia within the ages prescribed by federal law  
16    and regulations, organized, armed, and equipped as provided in this  
17    ~~article~~ ARTICLE 3, and of commissioned officers and warrant officers  
18    within the ages and having the qualifications prescribed by federal law  
19    and regulations. "National Guard" applies only to militia organized as  
20    provided for in this ~~article~~ ARTICLE 3 and authorized by federal law and  
21    regulations relating to the National Guard. The number of officers and  
22    enlisted ~~men~~ PERSONNEL of the National Guard ~~shall~~ MUST be fixed from  
23    time to time and organized so as to meet the requirements of the federal  
24    laws and regulations. THE COLORADO NATIONAL GUARD IS A **TYPE 2**  
25    ENTITY, AS DEFINED IN SECTION 24-1-105.

26           **SECTION 186.** In Colorado Revised Statutes, **amend** 28-4-104  
27    as follows:



1           **28-4-104. State defense force - composition.** The governor is  
2 authorized to organize and maintain within this state such military forces  
3 as the governor deems necessary to defend this state. Such forces ~~shall be~~  
4 ARE known as the state defense force and ~~shall be~~ ARE composed of such  
5 citizens of the state ~~as shall~~ WHO volunteer or ~~be~~ WHO ARE ordered by the  
6 governor and qualify for service therein. Such forces ~~shall be~~ ARE  
7 additional to and distinct from the National Guard. The Colorado state  
8 defense force ~~shall be~~ IS maintained in numbers to be determined by the  
9 governor. IF ORGANIZED BY THE GOVERNOR, THE COLORADO STATE  
10 DEFENSE FORCE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. No  
11 officer or enlisted person of this force ~~shall~~ MAY be a member of the  
12 National Guard or other armed force of the United States. Such part of  
13 this force as ordered by the governor ~~shall be~~ IS uniformed. Any part or  
14 all of this force may be called to state defense force active duty at the  
15 pleasure of the governor. All costs and expenses of the state defense force  
16 ~~shall be~~ ARE paid from the general fund by separate appropriation to the  
17 department of military and veterans affairs.

18           **SECTION 187.** In Colorado Revised Statutes, 28-5-701, **amend**  
19 (1) as follows:

20           **28-5-701. Division of veterans affairs - transfer of functions -**  
21 **terminology.** (1) There is ~~hereby~~ created the division of veterans affairs  
22 ~~within~~ IN the department of military and veterans affairs, the head of  
23 which ~~shall be~~ IS the director of the division of veterans affairs who ~~shall~~  
24 ~~be~~ IS appointed by the adjutant general acting in ~~his or her~~ THE ADJUTANT  
25 GENERAL'S capacity as the administrative head of the department. The  
26 director shall appoint such assistants and clerical employees as may be  
27 deemed necessary to effectively administer this part 7 and part 8 of this

1 ~~article~~ ARTICLE 5. The director and such assistants and employees ~~shall~~  
2 MUST be appointed pursuant to section 13 of article XII of the state  
3 constitution. THE DIVISION OF VETERANS AFFAIRS AND THE DIRECTOR OF  
4 THE DIVISION OF VETERANS AFFAIRS ARE **TYPE 2** ENTITIES, AS DEFINED IN  
5 SECTION 24-1-105.

6 **SECTION 188.** In Colorado Revised Statutes, 28-5-702, **amend**  
7 (1) as follows:

8 **28-5-702. Board of veterans affairs.** (1) The Colorado board of  
9 veterans affairs and its powers, duties, and functions are ~~hereby~~  
10 transferred by a **type 2** transfer from the department of human services to  
11 the department of military and veterans affairs. The board shall advise  
12 and consult with the division in the administration and enforcement of  
13 this ~~article~~ ARTICLE 5. THE COLORADO BOARD OF VETERANS AFFAIRS IS A  
14 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

15 ~~<{*Department of Personnel*}>~~

16 **SECTION 189.** In Colorado Revised Statutes, 24-1-128, **amend**  
17 (2), (3), (4), (6), (7) introductory portion, (7)(a), (7)(b), (7)(d), (7)(f),  
18 (7)(g), (7)(h), (7)(k), and (7)(l) as follows:

19 **24-1-128. Department of personnel - creation.** (2) The state  
20 personnel board, created ~~by~~ IN section 14 of article XII of the state  
21 constitution, ~~and its powers, duties, and functions are transferred by a~~  
22 ~~**type 1** transfer to the department of personnel, subject to the provisions~~  
23 ~~of the state constitution~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION  
24 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
25 FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL, SUBJECT TO THE  
26 PROVISIONS OF THE STATE CONSTITUTION.

27 (3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF

1 PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE civil  
2 service commission. ~~and its powers, duties, and functions are transferred~~  
3 ~~by a type 3 transfer to the department of personnel and~~ THE POWERS,  
4 DUTIES, AND FUNCTIONS OF THE CIVIL SERVICE COMMISSION ARE allocated  
5 to the state personnel board and the state personnel director, pursuant to  
6 the provisions of the state constitution and laws enacted pursuant thereto,  
7 and the civil service commission is abolished.

8 (4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
9 PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE state  
10 employees' and officials' group insurance board of administration, created  
11 ~~by IN part 2 of article 8 of title 10 C.R.S., and its powers, duties, and~~  
12 ~~functions are transferred by a type 3 transfer to the department of~~  
13 ~~personnel and~~ PRIOR TO ITS REPEAL IN 1994. THE POWERS, DUTIES, AND  
14 FUNCTIONS OF THE STATE EMPLOYEES' AND OFFICIALS' GROUP INSURANCE  
15 BOARD OF ADMINISTRATION ARE allocated to the state personnel director,  
16 pursuant to the provisions of the state constitution and laws enacted  
17 pursuant thereto, and the state employees' and officials' group insurance  
18 board of administration is abolished.

19 (6) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
20 PERSONNEL INCLUDE THE powers, duties, and functions of the department  
21 of administration, ~~are transferred by a type 3 transfer to the department~~  
22 ~~of personnel,~~ and the department of administration is hereby abolished.

23 (7) The POWERS, DUTIES, AND FUNCTIONS OF THE department of  
24 personnel shall include the following administrative support services:

25 (a) The powers, duties, and functions concerning purchasing,  
26 specified in part 2 of article 102 of this title, ~~shall be administered as if~~  
27 ~~transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

1 (b) The powers, duties, and functions concerning state archives  
2 and public records, specified in part 1 of article 80 of this title, ~~shall be~~  
3 ~~administered as if transferred by a type 2 transfer to the department of~~  
4 ~~personnel~~ TITLE 24.

5 (d) The powers, duties, and functions concerning accounts and  
6 control and the office of THE controller, specified in part 2 of article 30  
7 of this title, ~~except those powers, duties, and functions transferred by~~  
8 ~~paragraph (c) of this subsection (7), shall be administered as if transferred~~  
9 ~~by a type 2 transfer to the department of personnel~~ TITLE 24. THE OFFICE  
10 OF THE CONTROLLER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
11 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND  
12 FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL.

13 (f) The office of administrative courts, the head of which ~~shall be~~  
14 IS the executive director of the department of personnel. The office of  
15 administrative courts, created ~~by~~ IN part 10 of article 30 of this title, ~~and~~  
16 ~~its powers, duties, and functions are transferred by a type 2 transfer to the~~  
17 ~~department of personnel as an office thereof~~ TITLE 24, IS A **TYPE 2** ENTITY,  
18 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
19 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
20 PERSONNEL.

21 (g) The powers, duties, and functions concerning central services,  
22 specified in part 11 of article 30 of this title, ~~shall be administered as if~~  
23 ~~transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

24 (h) The powers, duties, and functions concerning the risk  
25 management system, specified in part 15 of article 30 of this title, ~~shall be~~  
26 ~~administered as if transferred by a type 2 transfer to the department of~~  
27 ~~personnel~~ TITLE 24.

1 (k) The powers, duties, and functions concerning state buildings,  
2 ~~Such powers, duties, and functions, specified by part 13 of article 30 of~~  
3 ~~this title~~ TITLE 24 and formerly vested in the office of state planning and  
4 budgeting. ~~are transferred by a type 2 transfer to the department of~~  
5 ~~personnel.~~

6 (l) The state claims board, created ~~by~~ IN part 15 of article 30 of  
7 ~~this title and its powers, duties, and functions are transferred by a type 1~~  
8 ~~transfer to the department of personnel~~ TITLE 24. THE STATE CLAIMS  
9 BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
10 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
11 THE DEPARTMENT OF PERSONNEL.

12 **SECTION 190.** In Colorado Revised Statutes, 24-30-201, **amend**  
13 (2) as follows:

14 **24-30-201. Accounts and control - controller.** (2) The POWERS,  
15 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE  
16 powers, duties, and functions concerning accounts and control and the  
17 office of the controller. ~~shall be administered as if transferred by a type~~  
18 ~~2 transfer to the department of personnel.~~ THE OFFICE OF THE  
19 CONTROLLER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

20 **SECTION 191.** In Colorado Revised Statutes, 24-30-1001,  
21 **amend** (1) as follows:

22 **24-30-1001. Office of administrative courts - administrative**  
23 **courts cash fund - creation.** (1) Effective July 1, 2005, there is ~~hereby~~  
24 created the office of administrative courts in the department of personnel,  
25 the head of which ~~shall be~~ IS the executive director of the department of  
26 personnel. The office of administrative courts ~~shall exercise its powers,~~  
27 ~~duties, and functions as a type 2 agency~~ IS A **TYPE 2** ENTITY, AS DEFINED

1 IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND PERFORM ITS  
2 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL.

3 **SECTION 192.** In Colorado Revised Statutes, 24-30-1103,  
4 **amend** (2) as follows:

5 **24-30-1103. Central services.** (2) The POWERS, DUTIES, AND  
6 FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers,  
7 duties, and functions concerning central services, specified by this part  
8 ~~11. shall be administered as if transferred by a type 2 transfer, as such~~  
9 ~~transfer is defined by the "Administrative Organization Act of 1968",~~  
10 ~~article 1 of this title to the department of personnel.~~

11 **SECTION 193.** In Colorado Revised Statutes, 24-30-1302,  
12 **amend** (1) as follows:

13 **24-30-1302. State buildings - transfer.** (1) The POWERS, DUTIES,  
14 AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE  
15 powers, duties, and functions ~~of the office of state planning and~~  
16 ~~budgeting~~ relating to state buildings ~~are transferred by a type 2 transfer,~~  
17 ~~to the department of personnel~~ THAT WERE FORMERLY VESTED IN THE  
18 OFFICE OF STATE PLANNING AND BUDGETING.

19 **SECTION 194.** In Colorado Revised Statutes, 24-30-1503,  
20 **amend** (2) as follows:

21 **24-30-1503. Risk management system.** (2) The POWERS,  
22 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE  
23 powers, duties, and functions concerning risk management, specified by  
24 this part 15. ~~shall be administered as if transferred to the department of~~  
25 ~~personnel by a type 2 transfer, as such transfer is defined by the~~  
26 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

27 **SECTION 195.** In Colorado Revised Statutes, 24-30-1508,

1     **amend** (2) as follows:

2             **24-30-1508. State claims board - creation.** (2) The state claims  
3     board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall  
4     exercise its powers and perform its duties and functions ~~as if it were~~  
5     ~~transferred to~~ UNDER the department of personnel. ~~by a type 1 transfer,~~  
6     ~~as such transfer is defined by the "Administrative Organization Act of~~  
7     ~~1968", article 1 of this title.~~

8             **SECTION 196.** In Colorado Revised Statutes, 24-50-103, **amend**  
9     (2) as follows:

10            **24-50-103. State personnel board.** (2) The board IS A **TYPE 1**  
11     ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
12     and perform its duties and functions under the department of personnel  
13     and the state personnel director. ~~as if the same were transferred to the~~  
14     ~~department by a type 1 transfer, as such transfer is defined in the~~  
15     ~~"Administrative Organization Act of 1968", article 1 of this title.~~

16            **SECTION 197.** In Colorado Revised Statutes, 24-80-102, **amend**  
17     (11) as follows:

18            **24-80-102. State archives and records - personnel - duties -**  
19     **cash fund - rules - definition.** (11) ~~The powers, duties, and functions of~~  
20     ~~The state archivist and the department of personnel concerning state~~  
21     ~~archives and records shall be administered as if transferred by a type 2~~  
22     ~~transfer to the department of personnel~~ IS A **TYPE 2** ENTITY, AS DEFINED  
23     IN SECTION 24-1-105, AND SHALL EXERCISE THE ARCHIVIST'S POWERS AND  
24     PERFORM THE ARCHIVIST'S DUTIES AND FUNCTIONS CONCERNING STATE  
25     ARCHIVES AND RECORDS UNDER THE DEPARTMENT OF PERSONNEL.

26            **SECTION 198.** In Colorado Revised Statutes, 24-102-201,  
27     **amend** (2) as follows:

1           **24-102-201. Purchasing.** (2) The POWERS, DUTIES, AND  
2 FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers,  
3 duties, and functions concerning purchasing. ~~shall be administered as if~~  
4 ~~transferred to the department of personnel by a type 2 transfer, as such~~  
5 ~~transfer is defined by the "Administrative Organization Act of 1968",~~  
6 ~~article 1 of this title.~~

7           <{*Department of Corrections*}>

8           **SECTION 199.** In Colorado Revised Statutes, 24-1-128.5,  
9 **amend** (1.5), (2) introductory portion, (2)(a), (2)(b), (3), and (3.5) as  
10 follows:

11           **24-1-128.5. Department of corrections - creation.** (1.5) The  
12 department of corrections shall supervise and control each correctional  
13 facility, as defined in section 17-1-102. ~~C.R.S.~~ The POWERS, DUTIES, AND  
14 FUNCTIONS OF THE DEPARTMENT OF CORRECTIONS INCLUDE THE powers,  
15 duties, and functions of the FORMER department of institutions relating to  
16 honor camps, work release programs, and other adult correctional  
17 programs. ~~are transferred by a type 2 transfer to the department of~~  
18 ~~corrections.~~ The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT  
19 OF CORRECTIONS ALSO INCLUDE THE powers, duties, and functions of the  
20 FORMER division of parole in the department of institutions, ~~are~~  
21 ~~transferred by a type 3 transfer to the department of corrections,~~ and the  
22 division of parole in the department of institutions is abolished. The  
23 executive director of the department of corrections ~~shall have~~ HAS the  
24 powers and duties specified in title 17. ~~C.R.S.~~

25           (2) The department of corrections ~~shall consist~~ CONSISTS of the  
26 following divisions:

27           (a) The division of adult parole, the head of which ~~shall be~~ IS the



1 director of the division of adult parole. The division of adult parole IS A  
2 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
3 powers and perform its duties and functions under the department of  
4 corrections. ~~as if the same were transferred by a type 2 transfer.~~

5 (b) The division of correctional industries, the head of which ~~shall~~  
6 ~~be~~ IS the director of the division of correctional industries. The division  
7 ~~shall supervise~~ SUPERVISES and ~~control~~ CONTROLS correctional industries  
8 programs in this state. The division IS A **TYPE 2** ENTITY, AS DEFINED IN  
9 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
10 and functions under the department of corrections. ~~as if the same were~~  
11 ~~transferred by a type 2 transfer.~~

12 (3) The state board of parole, created ~~by~~ IN part 2 of article 2 of  
13 title 17, C.R.S., ~~is transferred by a type 1 transfer to the department of~~  
14 ~~corrections~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

15 (3.5) The division of correctional industries ~~shall include~~  
16 INCLUDES, as a section thereof, the Colorado state agency for surplus  
17 property, created ~~by~~ IN part 4 of article 82 of this ~~title~~ TITLE 24. The  
18 agency ~~and its powers, duties, and functions are transferred by a type 2~~  
19 ~~transfer to the department of corrections and allocated to the division of~~  
20 ~~correctional industries, as a section thereof~~ IS A **TYPE 2** ENTITY, AS  
21 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
22 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
23 CORRECTIONS. THE AGENCY IS ALLOCATED TO THE DIVISION OF  
24 CORRECTIONAL INDUSTRIES AS A SECTION THEREOF.

25 **SECTION 200.** In Colorado Revised Statutes, 17-2-102, **amend**  
26 (1) as follows:

27 **17-2-102. Division of adult parole - general powers, duties, and**

1     **functions - definition.** (1) The division of adult parole in the department  
2     shall administer the adult parole program. THE DIVISION OF ADULT  
3     PAROLE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The  
4     division shall keep a complete record in respect to all domestic as well as  
5     interstate parolees. The director of the division of adult parole shall  
6     exercise the power of suspension of paroles in the interim of the meetings  
7     of the state board of parole, referred to in this part 1 as the "board", and  
8     in connection therewith the director may arrest ~~such~~ A suspended parolee  
9     without warrant and return ~~such~~ A suspended parolee to an appropriately  
10    secure facility to await the further action of the board. In case of ~~such~~ A  
11    suspension of parole, the director shall send to the board, at its first  
12    session thereafter, a transcript of all proceedings taken in connection with  
13    ~~such~~ THE suspension and the reasons for ~~his or her~~ THE DIRECTOR'S action.

14           **SECTION 201.** In Colorado Revised Statutes, 17-2-201, **amend**  
15    (1)(a) as follows:

16           **17-2-201. State board of parole - duties - definitions.**

17    (1) (a) There is ~~hereby~~ created a state board of parole, referred to in this  
18    part 2 as the "board", which consists of nine members. THE BOARD IS A  
19    **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The members of the  
20    board are appointed by the governor and confirmed by the senate, and  
21    they shall devote their full time to their duties as members of the board.  
22    The members are appointed for three-year terms and may serve  
23    consecutive terms. The governor may remove a board member for  
24    incompetency, neglect of duty, malfeasance in office, continued failure  
25    to use the risk assessment guidelines as required by section 17-22.5-404,  
26    or failure to regularly attend meetings as determined by the governor.  
27    Final conviction of a felony during the term of office of a board member

1 automatically disqualifies the member from further service on the board.  
2 The board is composed of representatives from multidisciplinary areas of  
3 expertise. Two members must have experience in law enforcement, and  
4 one member must have experience in offender supervision, including  
5 parole, probation, or community corrections. Six members must have  
6 experience in other relevant fields. Each member of the board must have  
7 a minimum of five years of experience in a relevant field and knowledge  
8 of parole laws and guidelines, rehabilitation, correctional administration,  
9 the functioning of the criminal justice system, issues associated with  
10 victims of crime, the duties of board members, and actuarial risk  
11 assessment instruments and other offender assessment instruments used  
12 by the board and the department of corrections. A person who has been  
13 convicted of a felony or of a misdemeanor involving moral turpitude or  
14 who has any financial interests that conflict with the duties of a member  
15 of the board is ineligible for appointment.

16 **SECTION 202.** In Colorado Revised Statutes, 17-24-104, **amend**  
17 (1) as follows:

18 **17-24-104. Creation of division of correctional industries and**  
19 **advisory committee - enterprise status of division - duties of**  
20 **committee - sunset review of committee - rules.** (1) There is hereby  
21 created in the department of corrections the division of correctional  
22 industries, which ~~shall be~~ IS under the direction of the director of  
23 correctional industries, who ~~shall be~~ IS appointed by the executive  
24 director of the department of corrections pursuant to section 13 of article  
25 XII of the state constitution. The division ~~shall constitute~~ CONSTITUTES  
26 an enterprise for the purposes of section 20 of article X of the state  
27 constitution so long as it retains the authority to issue revenue bonds and

1 receives less than ten percent of its total annual revenues in grants, as  
2 defined in section 24-77-102 (7), ~~C.R.S.~~, from all Colorado state and  
3 local governments combined. So long as it constitutes an enterprise  
4 pursuant to the provisions of this section, the division of correctional  
5 industries ~~shall~~ IS not ~~be~~ a district for purposes of section 20 of article X  
6 of the state constitution. THE DIVISION OF CORRECTIONAL INDUSTRIES IS  
7 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

8 **SECTION 203.** In Colorado Revised Statutes, **amend** 24-82-402  
9 as follows:

10 **24-82-402. Director - staff.** The Colorado state agency for  
11 surplus property, referred to in this part 4 as the "state agency", ~~shall~~  
12 ~~consist~~ IS A SECTION OF THE DIVISION OF CORRECTIONAL INDUSTRIES. THE  
13 STATE AGENCY CONSISTS of a director, who ~~shall-be~~ IS the executive  
14 officer of the state agency, and ~~such~~ THE deputies, assistants, and  
15 employees as in the opinion of the director and the governor are necessary  
16 to carry out the provisions of this part 4. The director ~~shall-be~~ IS the  
17 director of the division of correctional industries. All deputies, assistants,  
18 and employees ~~shall-be~~ ARE appointed by the director pursuant to section  
19 13 of article XII of the state constitution and ~~shall~~ receive such  
20 compensation and reimbursement of expenses incurred in the  
21 performance of their duties as other employees of the state government  
22 are paid. All employees of the state agency on July 1, 1987, ~~shall~~ remain  
23 employees of ~~such~~ THE agency without the need for further appointment  
24 due to the transfer of the state agency from the department of personnel.  
25 The employees of the state agency ~~shall~~ MUST not exceed ten employees.  
26 THE STATE AGENCY IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.  
27 ~~<{Department of Public Safety}>~~

1           **SECTION 204.** In Colorado Revised Statutes, 24-1-128.6,  
2   **amend** (2)(a), (2)(c), (2)(d), (2)(h), (2)(i), (4)(a) introductory portion, (5),  
3   (6), (7), (8)(a), and (9) as follows:

4           **24-1-128.6. Department of public safety - creation - repeal.**

5   (2) The department of public safety consists of the following divisions:

6           (a) THE Colorado state patrol, the head of which ~~shall be~~ IS the  
7   chief of the Colorado state patrol. The Colorado state patrol and the office  
8   of chief, ~~thereof created by~~ IN part 2 of article 33.5 of this title, ~~and their~~  
9   ~~powers, duties, and functions are transferred by a type 2 transfer to the~~  
10   ~~department of public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED  
11   IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
12   THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC  
13   SAFETY. THE RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY  
14   AND THE COLORADO STATE PATROL INCLUDE the powers, duties, and  
15   functions of the state department of highways relating to the Colorado  
16   state patrol. ~~are transferred by a type 2 transfer to the department of~~  
17   ~~public safety and allocated to the Colorado state patrol.~~ The  
18   RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY AND THE  
19   COLORADO STATE PATROL INCLUDE THE powers, duties, and functions of  
20   the ports of entry section of the FORMER motor carrier services division  
21   of the division of motor vehicles of the department of revenue, which  
22   motor carrier services division is abolished pursuant to section 24-1-117  
23   (5), enacted by House Bill 12-1019, ~~enacted~~ in 2012. ~~are transferred by~~  
24   ~~a type 3 transfer to the department of public safety and allocated to the~~  
25   ~~Colorado state patrol.~~

26           (c) THE Colorado bureau of investigation, the head of which ~~shall~~  
27   ~~be~~ IS the director of the Colorado bureau of investigation. The Colorado

1 bureau of investigation and the office of THE director, ~~thereof~~, created by  
2 IN part 4 of article 33.5 of this title ~~and their powers, duties, and functions~~  
3 ~~are transferred by a type 2 transfer to the department of public safety~~  
4 TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
5 SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
6 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE POWERS,  
7 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE  
8 COLORADO BUREAU OF INVESTIGATION INCLUDE the powers, duties, and  
9 functions ~~of the department of local affairs~~ relating to the Colorado  
10 bureau of investigation ~~are transferred by a type 2 transfer to the~~  
11 ~~department of public safety and allocated to the Colorado bureau of~~  
12 ~~investigation~~ THAT WERE FORMERLY VESTED IN THE DEPARTMENT OF  
13 LOCAL AFFAIRS.

14 (d) THE division of criminal justice, the head of which ~~shall be~~ IS  
15 the director of the division of criminal justice. The division of criminal  
16 justice and the office of THE director, ~~thereof~~, created by IN part 5 of  
17 article 33.5 of this title, ~~and their powers, duties, and functions are~~  
18 ~~transferred by a type 2 transfer to the department of public safety~~ TITLE  
19 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL  
20 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
21 UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE POWERS, DUTIES, AND  
22 FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE DIVISION OF  
23 CRIMINAL JUSTICE INCLUDE the powers, duties, and functions ~~of the~~  
24 ~~department of local affairs~~ relating to the division of criminal justice ~~are~~  
25 ~~transferred by a type 2 transfer to the department of public safety and~~  
26 ~~allocated to the division of criminal justice~~ THAT WERE FORMERLY VESTED  
27 IN THE DEPARTMENT OF LOCAL AFFAIRS.

1           (h) (I) THE division of homeland security and emergency  
2 management, the head of which is the director of the division of  
3 homeland security and emergency management. The division of  
4 homeland security and emergency management and the office of THE  
5 director, ~~thereof, created by~~ IN part 16 of article 33.5 of this ~~title, shall~~  
6 ~~exercise their powers and perform their duties and functions as if the~~  
7 ~~same were transferred by a type 2 transfer to the department of public~~  
8 ~~safety, and allocated to the division of homeland security and emergency~~  
9 ~~management~~ TITLE 24 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
10 24-1-105. THE DIVISION OF HOMELAND SECURITY AND EMERGENCY  
11 MANAGEMENT AND THE OFFICE OF THE DIRECTOR OF THE DIVISION SHALL  
12 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS  
13 UNDER THE DEPARTMENT OF PUBLIC SAFETY AND ARE ALLOCATED TO THE  
14 DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

15           (II) The division of homeland security and emergency  
16 management includes the following agencies, which ARE **TYPE 2**  
17 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH shall exercise  
18 their powers and perform their duties and functions under the department  
19 of public safety: ~~as if the same were transferred thereto by a type 2~~  
20 ~~transfer:~~

21           (A) The office of emergency management, created ~~by~~ IN part 7 of  
22 article 33.5 of this ~~title~~ TITLE 24, the head of which is the director of the  
23 office of emergency management. Effective July 1, 2012, THE POWERS,  
24 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE  
25 OFFICE OF EMERGENCY MANAGEMENT UNDER THE DIVISION OF HOMELAND  
26 SECURITY AND EMERGENCY MANAGEMENT PURSUANT TO THIS ARTICLE 1  
27 INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF the FORMER division

1 of emergency management, ~~in the department of local affairs, created by~~  
2 ~~IN part 21 of article 32 of this title~~ TITLE 24, prior to its repeal in 2012.  
3 ~~and its powers, duties, and functions are transferred by a type 2 transfer~~  
4 ~~to the department of public safety and allocated to the office of~~  
5 ~~emergency management under the division of homeland security and~~  
6 ~~emergency management pursuant to this article.~~

7 (B) THE office of prevention and security, created in section  
8 24-33.5-1606; and

9 (C) The office of preparedness, created in section 24-33.5-1606.5.

10 (i) THE division of fire prevention and control, the head of which  
11 is the director of the division of fire prevention and control. The division  
12 of fire prevention and control and the office of the director, ~~thereof,~~  
13 ~~created by IN part 12 of article 33.5 of this title, and their powers, duties,~~  
14 ~~and functions are transferred by a type 2 transfer to the department of~~  
15 ~~public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION  
16 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR  
17 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

18 (4)(a) THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT  
19 OF PUBLIC SAFETY INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE  
20 Colorado emergency planning commission, created ~~by~~ IN section  
21 24-33.5-1503, prior to the repeal of that section by House Bill 14-1004,  
22 ~~is abolished, and its powers, duties, and functions are transferred by a~~  
23 ~~type 3 transfer~~ as follows:

24 (5) The witness protection board, created ~~by~~ IN section  
25 24-33.5-106, IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
26 shall exercise its powers and perform its duties and functions ~~as if the~~  
27 ~~same were transferred by a type 1 transfer to~~ UNDER the department of



1 public safety.

2 (6) The identity theft and financial fraud board, created by IN  
3 section 24-33.5-1703, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
4 24-1-105, AND shall exercise its powers and perform its duties and  
5 functions ~~as if the same were transferred by a type 2 transfer to~~ UNDER  
6 the department of public safety.

7 (7) The cold case task force, created in section 24-33.5-109, IS A  
8 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
9 powers and perform its duties and functions ~~as if the same were~~  
10 ~~transferred by a type 2 transfer to~~ UNDER the department of public safety.

11 (8)(a) The Colorado commission on criminal and juvenile justice,  
12 created pursuant to section 16-11.3-102, ~~C.R.S.~~, IS A **TYPE 2** ENTITY, AS  
13 DEFINED IN SECTION 24-1-105, AND shall exercise its powers and perform  
14 its duties and functions ~~as if the same were transferred by a type 2~~  
15 ~~transfer to~~ UNDER the department of public safety.

16 (9) The crime victim services advisory board, created pursuant to  
17 section 24-4.1-117.3, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
18 24-1-105, AND shall exercise its powers and perform its duties and  
19 functions ~~as if the same were transferred by a type 2 transfer to~~ UNDER  
20 the division of criminal justice in the department of public safety.

21 **SECTION 205.** In Colorado Revised Statutes, 16-11.3-102,  
22 **amend** (1)(b) as follows:

23 **16-11.3-102. Colorado commission on criminal and juvenile**  
24 **justice - creation - membership - operation.** (1) (b) The commission  
25 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
26 its powers and perform its duties and functions ~~as if the same were~~  
27 ~~transferred to~~ UNDER the department of public safety. ~~by a type 2 transfer,~~

1 ~~as such transfer is defined in the "Administrative Organization Act of~~  
2 ~~1968", article 1 of title 24, C.R.S.~~

3 **SECTION 206.** In Colorado Revised Statutes, 24-4.1-117.3,  
4 **amend** (1) as follows:

5 **24-4.1-117.3. Crime victim services advisory board - creation**  
6 **- duties.** (1) There is ~~hereby~~ created in the division of criminal justice in  
7 the department of public safety the crime victim services advisory board,  
8 referred to in this section as the "advisory board". The advisory board is  
9 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its  
10 powers and perform its duties and functions under the division of criminal  
11 justice in the department of public safety and the executive director of the  
12 department of public safety, referred to in this section as the "executive  
13 director". ~~as if the same were transferred to the department of public~~  
14 ~~safety by a **type 2** transfer, as such transfer is defined in the~~  
15 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

16 **SECTION 207.** In Colorado Revised Statutes, 24-33.5-106,  
17 **amend** (2) as follows:

18 **24-33.5-106. Witness protection board - creation - Javad**  
19 **Marshall-Fields and Vivian Wolfe witness protection program -**  
20 **witness protection fund.** (2) The witness protection board IS A **TYPE 1**  
21 ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall exercise its powers  
22 and perform its duties and functions ~~as if the same were transferred to~~  
23 UNDER the department of public safety. ~~by a **type 1** transfer, as such~~  
24 ~~transfer is defined in the "Administrative Organization Act of 1968",~~  
25 ~~article 1 of this title.~~

26 **SECTION 208.** In Colorado Revised Statutes, 24-33.5-109,  
27 **amend** (1)(b) as follows:

1           **24-33.5-109. Cold case task force - creation - rules - repeal.**

2           (1) (b) The task force IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION  
3           24-1-105, AND shall exercise its powers and perform its duties and  
4           functions ~~as if the same were transferred to~~ UNDER the department of  
5           public safety. ~~by a **type 2** transfer, as such transfer is defined in the~~  
6           ~~"Administrative Organization Act of 1968", article 1 of this title.~~

7           **SECTION 209.** In Colorado Revised Statutes, 24-33.5-201,  
8           **amend** (2) as follows:

9           **24-33.5-201. Colorado state patrol created.** (2) The Colorado  
10          state patrol and the office of the chief ARE **TYPE 2** ENTITIES, AS DEFINED  
11          IN SECTION 24-1-105, AND shall exercise their powers and perform their  
12          duties and functions under the department of public safety and the  
13          executive director. ~~as transferred to the department by a **type 2** transfer,~~  
14          ~~as such transfer is defined in the "Administrative Organization Act of~~  
15          ~~1968", article 1 of this title.~~

16          **SECTION 210.** In Colorado Revised Statutes, 24-33.5-401,  
17          **amend** (2) as follows:

18          **24-33.5-401. Colorado bureau of investigation.** (2) The  
19          Colorado bureau of investigation and the office of the director ARE **TYPE**  
20          **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise their  
21          powers and perform their duties and functions under the department of  
22          public safety and the executive director. ~~as transferred to the department~~  
23          ~~by a **type 2** transfer, as such transfer is defined in the "Administrative~~  
24          ~~Organization Act of 1968", article 1 of this title.~~

25          **SECTION 211.** In Colorado Revised Statutes, 24-33.5-502,  
26          **amend** (2) as follows:

27          **24-33.5-502. Division of criminal justice created.** (2) The

1 division of criminal justice and the office of the director ARE TYPE 2  
2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise their  
3 powers and perform their duties and functions under the department of  
4 public safety and the executive director. ~~as transferred to the department~~  
5 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~  
6 ~~Organization Act of 1968", article 1 of this title.~~

7 **SECTION 212.** In Colorado Revised Statutes, 24-33.5-1201,  
8 **amend** (2), (3)(a), (4)(a)(II), and (5)(a) as follows:

9 **24-33.5-1201. Division of fire prevention and control - creation**  
10 **- public school construction and inspection section - health facility**  
11 **construction and inspection section - legislative declaration.** (2) The  
12 division, the office of the director, the advisory board created by IN  
13 section 24-33.5-1204, and the board of appeals created by IN section  
14 24-33.5-1213.7 ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105,  
15 AND shall exercise their powers and perform their duties and functions  
16 under the department of public safety and the executive director. ~~as if the~~  
17 ~~same were transferred to the department by a type 2 transfer, as such~~  
18 ~~transfer is defined in the "Administrative Organization Act of 1968",~~  
19 ~~article 1 of this title.~~

20 (3) (a) There is hereby created ~~within~~ IN the division the public  
21 school construction and inspection section to implement the provisions  
22 of sections 22-32-124 (2) and 23-71-122 (1)(v) ~~C.R.S.~~, and to administer  
23 and enforce the codes in accordance with sections 24-33.5-1213 and  
24 24-33.5-1213.3. The public school construction and inspection section IS  
25 A TYPE 2 ENTITY, AS DEFINED IN SECTION 24-1-105, AND shall EXERCISE  
26 ITS POWERS AND perform its duties and functions under the division and  
27 the executive director. ~~as if the same were transferred to the department~~

1 by a ~~type 2~~ transfer, as such transfer is defined in the "Administrative  
2 Organization Act of 1968", article 1 of this title.

3 (4) (a) (II) There is ~~hereby~~ created in the division of fire  
4 prevention and control the wildland fire management section to  
5 implement this subsection (4) and sections 24-33.5-1217 to  
6 24-33.5-1226.5. The wildland fire management section ~~shall perform its~~  
7 ~~duties and functions under the division of fire prevention and control as~~  
8 ~~if the same were transferred by a type 2 transfer, as such transfer is~~  
9 ~~defined in the "Administrative Organization Act of 1968", article 1 of this~~  
10 ~~title 24.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND SHALL  
11 EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER  
12 THE DIVISION OF FIRE PREVENTION AND CONTROL.

13 (5) (a) There is ~~hereby~~ created ~~within~~ IN the division the health  
14 facility construction and inspection section to implement section  
15 24-33.5-1212.5 and to administer and enforce the codes in accordance  
16 with sections 24-33.5-1212.5 and 24-33.5-1213. The health facility  
17 construction and inspection section IS A **TYPE 2** ENTITY, AS DEFINED IN  
18 SECTION 24-1-105, AND shall EXERCISE ITS POWERS AND perform its duties  
19 and functions under the division and the executive director. ~~as if the same~~  
20 ~~were transferred to the department by a type 2 transfer, as such transfer~~  
21 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
22 ~~this title.~~

23 **SECTION 213.** In Colorado Revised Statutes, **amend**  
24 24-33.5-1603 as follows:

25 **24-33.5-1603. Division of homeland security and emergency**  
26 **management - creation - director.** (1) There is ~~hereby~~ created ~~within~~  
27 IN the department the division of homeland security and emergency

1 management, the head of which is the director of the division. The  
2 executive director shall appoint the director pursuant to section 13 of  
3 article XII of the state constitution. THE DIVISION OF HOMELAND SECURITY  
4 AND EMERGENCY MANAGEMENT AND THE DIRECTOR OF THE DIVISION ARE  
5 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

6 (2) The division includes the following agencies, WHICH ARE **TYPE**  
7 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND which shall exercise  
8 their powers and perform their duties and functions under the department:  
9 ~~as if the same were transferred thereto by a type 2 transfer:~~

10 (a) The office of emergency management, created in section  
11 24-33.5-705;

12 (b) The office of prevention and security, created in section  
13 24-33.5-1606; and

14 (c) The office of preparedness, created in section 24-33.5-1606.5.

15 **SECTION 214.** In Colorado Revised Statutes, 24-33.5-1703,  
16 **amend** (1)(b) as follows:

17 **24-33.5-1703. Identity theft and financial fraud board -**  
18 **creation - rules.** (1) (b) The board IS A **TYPE 2** ENTITY, AS DEFINED IN  
19 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
20 and functions ~~as if the same were transferred to~~ UNDER the department of  
21 public safety. ~~by a type 2 transfer, as such transfer is defined in the~~  
22 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

23 ~~<{*Department of Transportation*}>~~

24 **SECTION 215.** In Colorado Revised Statutes, 24-1-128.7,  
25 **amend** (2), (3), (4), (5), (6), (9), and (10) as follows:

26 **24-1-128.7. Department of transportation - creation - repeal.**

27 (2) The transportation commission, created ~~by~~ IN part 1 of article 1 of

1 title 43, C.R.S., and its powers, duties, and functions are transferred by a  
2 ~~type 1 transfer to the department of transportation~~ IS A **TYPE 1** ENTITY, AS  
3 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
4 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
5 TRANSPORTATION.

6 (3) The department of transportation consists of the following  
7 divisions:

8 (a) THE highway maintenance division, the head of which is the  
9 director of the highway maintenance division. The highway maintenance  
10 division and the office of the director, ~~thereof~~, created by IN part 1 of  
11 article 1 of title 43, C.R.S., and their powers, duties, and functions are  
12 ~~transferred by a type 2 transfer to the department of transportation~~ ARE  
13 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE  
14 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE  
15 DEPARTMENT OF TRANSPORTATION.

16 (b) THE aeronautics division, the head of which ~~shall be~~ IS the  
17 director of the aeronautics division. The aeronautics division and the  
18 office of the director, ~~thereof~~, created by IN article 10 of title 43, C.R.S.,  
19 and their powers, duties, and functions are transferred by a **type 1** transfer  
20 ~~to the department of transportation~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN  
21 SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND PERFORM  
22 THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
23 TRANSPORTATION. The RESPONSIBILITIES OF THE DEPARTMENT OF  
24 TRANSPORTATION AND THE AERONAUTICS DIVISION INCLUDE THE powers,  
25 duties, and functions of the division of aviation, FORMERLY UNDER THE  
26 AUTHORITY of the department of military and veterans affairs. ~~are~~  
27 ~~transferred by a type 1 transfer to the department of transportation and~~

1 ~~allocated to the aeronautics division.~~

2 (c) THE transportation development division, the head of which  
3 ~~shall be~~ IS the director of the transportation development division. The  
4 transportation development division and the office of the director, ~~thereof,~~  
5 created ~~by~~ IN part 1 of article 1 of title 43, ~~C.R.S., and their powers,~~  
6 ~~duties, and functions are transferred by a type 2 transfer to the department~~  
7 ~~of transportation~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,  
8 AND SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND  
9 FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

10 (d) THE engineering, design, and construction division, the head  
11 of which ~~shall be~~ IS the chief engineer. The ~~transportation development~~  
12 ~~division~~ ENGINEERING, DESIGN, AND CONSTRUCTION DIVISION and the  
13 office of the chief engineer, created ~~by~~ IN part 1 of article 1 of title 43,  
14 ~~C.R.S., and their powers, duties, and functions are transferred by a type~~  
15 ~~2 transfer to the department of transportation~~ ARE **TYPE 2** ENTITIES, AS  
16 DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE THEIR POWERS AND  
17 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
18 TRANSPORTATION.

19 (e) The transit and rail division created in part 1 of article 1 of title  
20 43, ~~C.R.S.,~~ the head of which ~~shall be~~ IS the director of the transit and rail  
21 division. The transit and rail division and the office of the director of the  
22 division ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall  
23 exercise their powers and perform their duties and functions under the  
24 department of transportation and the executive director of the department.  
25 ~~as if the same were transferred thereto by a type 2 transfer.~~

26 (4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
27 TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE



1 state department of highways, created ~~by~~ IN section 24-1-126, prior to its  
2 repeal in 1991, and its ~~powers, duties, and functions, are transferred by a~~  
3 ~~type 3 transfer to the department of transportation, pursuant to the~~  
4 ~~provisions of this article 1, and~~ the state department of highways is  
5 abolished.

6 (5) The statewide bridge and tunnel enterprise created in section  
7 43-4-805 (2) IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
8 shall exercise its powers and perform its duties and functions ~~as if the~~  
9 ~~same were transferred by a type 1 transfer, as defined in section~~  
10 ~~24-1-105, to~~ UNDER the department of transportation.

11 (6) (a) The high-performance transportation enterprise, created in  
12 section 43-4-806 (2)(a), ~~C.R.S.,~~ IS A **TYPE 1** ENTITY, AS DEFINED IN  
13 SECTION 24-1-105, AND shall exercise its powers and perform its duties  
14 and functions ~~as if the same were transferred by a type 1 transfer, as~~  
15 ~~defined in section 24-1-105 to~~ UNDER the department of transportation.

16 (b) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
17 TRANSPORTATION AND THE HIGH-PERFORMANCE TRANSPORTATION  
18 ENTERPRISE INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE  
19 statewide tolling enterprise, created ~~by~~ IN the transportation commission  
20 pursuant to section 43-4-803 (1), ~~C.R.S.,~~ prior to the repeal and  
21 reenactment of said section by Senate Bill 09-108, enacted in 2009, and  
22 ~~its powers, duties, and functions are transferred by a type 3 transfer, as~~  
23 ~~defined in section 24-1-105, to the high-performance transportation~~  
24 ~~enterprise created in section 43-4-806 (2)(a), C.R.S., and~~ the statewide  
25 tolling enterprise is abolished.

26 (9) The clean transit enterprise, created in section 43-4-1203, ~~shall~~  
27 ~~exercise its powers and perform its duties as if the same were transferred~~

1 by a ~~type 1~~ transfer, as defined in section 24-1-105, to the department of  
2 transportation IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
3 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
4 UNDER THE DEPARTMENT OF TRANSPORTATION.

5 (10) The nonattainment area air pollution mitigation enterprise,  
6 created in section 43-4-1303, ~~shall exercise its powers and perform its~~  
7 ~~duties as if the same were transferred by a type 1 transfer, as defined in~~  
8 ~~section 24-1-105, to the department of transportation~~ IS A **TYPE 1** ENTITY,  
9 AS DEFINED IN SECTION 24-1-105, AND SHALL EXERCISE ITS POWERS AND  
10 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF  
11 TRANSPORTATION.

12 **SECTION 216.** In Colorado Revised Statutes, 43-1-106, **amend**  
13 (1) as follows:

14 **43-1-106. Transportation commission - powers and duties.**

15 (1) There is ~~hereby~~ created a transportation commission, which ~~shall~~  
16 ~~consist~~ CONSISTS of eleven members. The initial members of the  
17 commission shall be the members of the state highway commission  
18 immediately prior to July 1, 1991, and each such commission member  
19 shall continue to represent the same district. THE TRANSPORTATION  
20 COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

21 **SECTION 217.** In Colorado Revised Statutes, 43-1-114, **amend**  
22 (2) as follows:

23 **43-1-114. Highway maintenance division - creation.** (2) The  
24 highway maintenance division and the director of the division ARE **TYPE**  
25 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise their  
26 powers and perform their duties and functions under the department and  
27 the executive director. ~~as if the same were transferred to the department~~

1 by a ~~type 2~~ transfer, as such transfer is defined in the "Administrative  
2 Organization Act of 1968", article 1 of title 24, C.R.S.

3 **SECTION 218.** In Colorado Revised Statutes, 43-1-116, **amend**  
4 (2) as follows:

5 **43-1-116. Engineering, design, and construction division -**  
6 **created - duties - environmental justice and equity branch.** (2) The  
7 engineering, design, and construction division and the office of the chief  
8 engineer ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
9 shall exercise their powers and perform their duties and functions under  
10 the department of transportation and the executive director. ~~as if the same~~  
11 ~~were transferred to the department by a type 2 transfer, as such transfer~~  
12 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
13 ~~title 24, C.R.S.~~

14 **SECTION 219.** In Colorado Revised Statutes, 43-1-117, **amend**  
15 (2) as follows:

16 **43-1-117. Transportation development division - created -**  
17 **duties - freight mobility and safety branch.** (2) The transportation  
18 development division and the office of the director of ~~such~~ THE division  
19 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
20 their powers and perform their duties and functions under the department  
21 of transportation and the executive director. ~~as if the same were~~  
22 ~~transferred to the department by a type 2 transfer, as such transfer is~~  
23 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~  
24 ~~24, C.R.S.~~

25 **SECTION 220.** In Colorado Revised Statutes, 43-1-117.5,  
26 **amend** (2) as follows:

27 **43-1-117.5. Transit and rail division - created - powers and**

1 **duties.** (2) The transit and rail division and the office of the director of  
2 the division ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND  
3 shall exercise their powers and perform their duties and functions under  
4 the department and the executive director. ~~as if the same were transferred~~  
5 ~~to the department by a **type 2** transfer, as defined in section 24-1-105,~~  
6 ~~C.R.S.~~

7 **SECTION 221.** In Colorado Revised Statutes, 43-4-805, **amend**  
8 (2)(a)(II) as follows:

9 **43-4-805. Statewide bridge enterprise - creation - board -**  
10 **funds - powers and duties - legislative declaration - definition.**

11 (2) (a) (II) The bridge enterprise and the bridge enterprise director ARE  
12 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
13 their powers and perform their duties ~~as if the same were transferred to~~  
14 AND FUNCTIONS UNDER the department. ~~by a **type 1** transfer, as defined~~  
15 ~~in section 24-1-105, C.R.S.~~

16 **SECTION 222.** In Colorado Revised Statutes, 43-4-806, **amend**  
17 (2)(a)(III) as follows:

18 **43-4-806. High-performance transportation enterprise -**  
19 **creation - board - funds - powers and duties - limitations - reporting**  
20 **requirements - legislative declaration - definition.** (2) (a) (III) (A) The

21 transportation enterprise and the transportation enterprise director ARE  
22 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND shall exercise  
23 their powers and perform their duties ~~as if the same were transferred to~~  
24 AND FUNCTIONS UNDER the department. ~~by a **type 1** transfer, as defined~~  
25 ~~in section 24-1-105, C.R.S.~~

26 (B) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF  
27 TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE

1 statewide tolling enterprise, created by IN the commission pursuant to  
2 section 43-4-803 (1), prior to the repeal and reenactment of said section  
3 by Senate Bill 09-108, enacted in 2009, ~~and its powers, duties, and~~  
4 ~~functions are transferred by a type 3 transfer, as defined in section~~  
5 ~~24-1-105, C.R.S., to the transportation enterprise,~~ and the statewide  
6 tolling enterprise is abolished.

7 **SECTION 223.** In Colorado Revised Statutes, 43-4-1203, **amend**  
8 (1) as follows:

9 **43-4-1203. Clean transit enterprise - creation - board - powers**  
10 **and duties - rules - fees - fund.** (1) (a) The clean transit enterprise is  
11 ~~hereby~~ created in the department. The enterprise is and operates as a  
12 government-owned business within the department in order to execute its  
13 business purpose as specified in subsection (3) of this section by  
14 exercising the powers and performing the duties AND FUNCTIONS set forth  
15 in this section.

16 (b) The enterprise ~~exercises its powers and performs its duties and~~  
17 ~~functions~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
18 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
19 under the department. ~~as if the same were transferred to the department~~  
20 ~~by a type 1 transfer, as defined in section 24-1-105.~~

21 **SECTION 224.** In Colorado Revised Statutes, 43-4-1303, **amend**  
22 (1) as follows:

23 **43-4-1303. Nonattainment area air pollution mitigation**  
24 **enterprise - creation - board - powers and duties - rules - fees - fund.**  
25 (1) (a) The nonattainment area air pollution mitigation enterprise is  
26 ~~hereby~~ created in the department. The enterprise is and operates as a  
27 government-owned business within the department in order to execute its

1 business purpose as specified in subsection (3) of this section by  
2 exercising the powers and performing the duties AND FUNCTIONS set forth  
3 in this section.

4 (b) The enterprise ~~exercises its powers and performs its duties and~~  
5 ~~functions~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND  
6 SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS  
7 under the department. ~~as if the same were transferred to the department~~  
8 ~~by a type 1 transfer, as defined in section 24-1-105.~~

9 **SECTION 225. Act subject to petition - effective date.** This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly; except  
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
13 of the state constitution against this act or an item, section, or part of this  
14 act within such period, then the act, item, section, or part will not take  
15 effect unless approved by the people at the general election to be held in  
16 November 2022 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor.